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REPORT

OF THE

TENTH ANNUAL MEETING

OF THE

✓ LAKE MOHONK CONFERENCE

ON

INTERNATIONAL ARBITRATION

1904

REPORTED BY WILLIAM J. ROSE.

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OF THE

TENTH ANNUAL LAKE MOHONK CONFERENCE ON INTERNATIONAL ARBITRATION, JUNE 1-3, 1904

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PREFACE

The Tenth Annual Meeting of the Lake Mohonk Conference on International Arbitration was held, on the invitation of Mr. Albert K. Smiley, at the Lake Mohonk House, Ulster County, N. Y., June 1, 2 and 3, 1904, and was attended by nearly three hundred persons. There were six sessions of the Conference. This Report contains the stenographic account of the proceedings, which consisted of addresses and discussions on the progress of arbitration, the work of the Hague Court, the special treaties of arbitration concluded the past year, the relations of commerce and industry to peace, the best methods of promoting public opinion in favor of arbitration, and kindred topics.

One copy of this Report is sent to each member of the Conference. If other copies are desired, application should be made to the Corresponding Secretary of the Conference.



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THE TENTH LAKE MOHONK CONFERENCE ON INTERNATIONAL ARBITRATION.

First Session.

Wednesday Morning, June 1, 1904.

The Tenth Annual Lake Mohonk Conference on International Arbitration met in the parlor of the Lake Mohonk House, by invitation of Albert K. Smiley, on the 1st of June, 1904, at 10 o'clock in the morning.

In opening the Conference and welcoming the guests, Mr. Smiley spoke as follows:

MR. SMILEY: I cannot begin to tell you how glad I am to welcome you to this Conference. We have the largest gathering we have ever had, and I judge from what I know of the members that it will be the most interesting Conference we have ever held. I am sure that such a company as this which is gathered here will be of great benefit to the cause we have at heart. I believe that all reforms have to begin somewhat in this way, by educating the people in regard to what is true and just and right, and I feel sure that if the world knew that the main portion of wars could be prevented by proper effort, people would be alive to the matter. Many of us believe that this can be done, and that the time will come when wars will be displaced by peaceful arbitration between nations.

We have many prominent men at this Conference. There are fifteen diplomats and government officials, ten judges, eighteen lawyers, twenty educators, many of them presidents of colleges, thirty clergymen, twenty-five editors and journalists, forty-five business men, including delegates from business organizations in many of our largest cities, men connected with the army, and many others, — more than two hundred and fifty in all.

I want to say that my wife greatly regrets that she cannot be here to-day. Her health is improving, but it is still such that she cannot stand the strain of seeing so many people. But she has sent the following letter to the Conference:

"Mrs. Smiley extends a hearty welcome to our guests, and exceedingly regrets that she is still unable to receive them in person.

"She earnestly desires great results from the work of the Conference — that they may greatly hasten on the day when all nations shall accept peaceful methods

of settling disputes, and greed and selfishness give place to love and harmony.”
[Applause.]

I suppose you are all aware that we take it upon ourselves to name the presiding officer of the Conference. We have been especially fortunate in securing as President of this year's Conference a man of national reputation, who has had perhaps as much experience as any one in the country in arbitration matters. I know you will approve of our action when I tell you that we have selected Judge George Gray of Delaware. [Applause.]

Mr. Smiley also read the names of those selected as a Business Committee to arrange programs, etc., for the different sessions of the Conference.

Judge Gray took the chair and recognized Chief Justice Stiness of Rhode Island, Chairman of the Business Committee, who said :

The Business Committee held a session last evening and appointed the following officers of the Conference.

(For the list of officers, see page 2.)

The Treasurer, Alexander C. Wood, read his report of receipts and expenditures during the past year. The report, which had been properly audited, was approved. The Treasurer called attention to the fact that Mr. Smiley bore the expense of entertaining the Conference and of providing the Permanent Secretary, Mr. H. C. Phillips, and asked for contributions to the amount of \$2,000, chiefly for the printing and distribution of copies of the report of the present Conference.

Judge Stiness announced that the Business Committee had ruled that papers read before the Conference should be limited to twenty minutes in length; those requested to speak would be limited to ten minutes, and volunteer speakers in the general discussion would be allowed five minutes, so as to give every one who wished a chance to speak.

MR. SMILEY: You all take great interest, I have no doubt, in the war now going on between Russia and Japan. It is thought best not to have any partisan allusion to that war in our meetings. We want to keep up a good feeling with Russia and Japan and China, and every other nation in the world. We want whatever goes out from this Conference to show that we have no enmity against any nation. [Applause.]

The program of the morning was then taken up, and consisted of an Opening Address by the Hon. George Gray, President; a paper by Benjamin F. Trueblood, LL.D., "The Year's Progress in Arbitration;" an address by Dr. Hale on "Stick to your Business;" an address by Thomas Nelson Page of Washington on the work of the Second International Arbitration Conference held in Washington, January 12, 1904; an address by Dr. Henry M.

Leipziger of New York on "The Creation of Public Opinion for Peace;" and short speeches on the general subject under discussion by Judge Stiness, Hon. Henry E. Cobb of Newton, Mass., Hon. Robert Baker of Brooklyn, N. Y., Mr. Hayne Davis of New York, Col. Homer B. Sprague of Newton, Mass., Hon. Horatio King of New York, Mrs. Edwin D. Mead of Boston, and Dr. Wm. A. Mowry of Hyde Park, Mass. Dr. Hale also spoke again briefly, quoting from Frederick W. Holls' work on "The Peace Conference at The Hague."

OPENING ADDRESS OF THE HON. GEORGE GRAY, PRESIDENT.

Mr. Smiley, Members of the Conference: I esteem it a great honor to have been asked to preside over this distinguished assemblage. It is a privilege, as well as an honor, to participate in this tenth annual meeting of the Lake Mohonk Conference on International Arbitration.

It was a noble effort of a few noble men nine years ago to lead the public opinion of the country in the direction of international arbitration. It is true, they represented the advanced thought of our time, but advanced thought meets with many discouragements. Statesmanship was indifferent, and practical politics hostile. Good people, the world over, listened to the dreams of the dreamers, but they thought they knew better than to expect that those dreams should ever be realities. They did not see, or did not recognize, the spiritual ferment which was everywhere stirring the minds and hearts of men; and so to-day we are following, rather than leading, public opinion toward the goal of peaceful arbitration of international differences, and to a realizing sense of the waste and folly of international war.

There has been a certain fullness of time that has made itself manifest before any of the great forward movements in the world's history have taken place, and that fullness of time seems now to have arrived for such a forward movement in the great cause we have at heart. There has been a long preparation for such a consummation. The peoples of the world are being drawn closer together by the wonderful achievements of science and art. The estranging seas no longer separate but unite the people of the Old World and the New, and a solidarity of material interests has produced something like a solidarity of thought and feeling. The belief that what was hurtful or injurious to the prosperity and well-being of one country might be helpful and beneficial to another is not so prevalent as it once was. We no longer consider the advance of alien peoples in wealth and prosperity as a menace to our own. We are more prone now than formerly to recognize such advance as an increment to the world's wealth, in which all, sooner or later, must have some share, however small; that, as the waters of a great lake cannot be drawn from or

depleted at its most remote corner without sensibly affecting the general level of the great body of its waters, so the material waste and destruction and moral deterioration of a war between nations, however remote, must to some extent injuriously affect the civilized world. The economic waste, consequent upon the maintenance of the great and increasing military and naval establishments of the world, is beginning to make its due impression upon the enlightened conscience and intelligence of increasing numbers in all countries. Altruism is no longer to be banished from national policies and national conduct, and there is growing recognition of the truth that the obligations of the moral law are imposed upon nations as well as upon individuals. Public opinion is no longer fenced in by national boundaries. It has overleaped them all, and now an international public opinion is making itself felt from one corner of Christendom to the other, and, through the instrumentality of a free press, forecasts and controls the conduct and policies of kings and cabinets.

It may be said, and perhaps truly, that these are tendencies, and not accomplished results ; but they are tendencies that fill our hearts with hope and encouragement. The progress of civilization has been a slow one. Inveterate prejudices die hard. There has been an ebb and flow, a receding as well as an advancing tide ; but, on the whole, we recognize the steady gain of man. We are ourselves carried along with the tendencies of the time in which we live. We must recognize the opportunity and obey the call that has sounded in our ears of a power higher than ours. We are not to be discouraged by untoward conditions. The Czar of Russia, who suggested the Hague Tribunal, is involved in internecine war that strains the resources of his empire, but the International Court of Arbitration at The Hague will remain an enduring monument to his wisdom, and shed more glory upon his reign than any triumph, however great, his armies may achieve. The establishment and continued existence of the Permanent Court of International Arbitration will make it more difficult in the future than it has been in the past for nations to engage in war. I believe that its influence will grow slowly, but steadily, and that each resort to its decisions will tend to form and strengthen the habit of looking thitherward, to settle international difficulties by an appeal to reason instead of an appeal to arms.

There is good ground for thinking that the project of a treaty of arbitration between England and the United States is in a forward state of progress, and that the rejection of the Treaty of 1897 by the Senate will help, rather than hinder, the present movement. Its rejection has served to concentrate public attention upon the subject, and in the meantime free discussion and criticism have served to measurably mature a favorable public opinion on both sides of the Atlantic. What imagination is not kindled, what heart does not glow, at the thought of an arbitral agreement between the two great English-speaking nations of the world ! Too powerful to be animated by any other motive than a brave and worthy one, the moral

effect of their agreement in such a treaty could not fail to advance the cause of international arbitration to a world-wide acceptance.

As for ourselves, we are bound by our own past. There is no more glorious page in our history than that which records its list of arbitral agreements and establishes its leadership in upright diplomacy and peaceful settlement of international difficulties. That international law is no longer the sport of kings and a mockery of the hopes of humanity is largely due to the assertion of its obligations by the statesmen of our formative period. "The parliament of man, the federation of the world" is emerging from the mist of poetry into the sunlight of the practical world. When American diplomacy secures an open port from China, it is not for American commerce alone, but for the commerce of the world. A selfish, sordid, aggressive, or merely a self-serving national policy will be more difficult to maintain in the future than it has been in the past. Our own national conduct must more and more conform to the enlightened conscience of the country, and will more and more have applied to it the test of morality as well as of self-interest. What we would highly, that would we holily, and, in the words of an American President, "I mistake the American people if they favor the odious doctrine that there is no such thing as international morality; that there is one law for a strong nation and another for a weak one; and that even by indirection a strong power may, with impunity, despoil a weak one of its territory." There is growing to be a chivalry among nations, as there has been a chivalry among men, and under the protection of that sentiment the weak nations of the world are measurably secure from aggression or spoliation. No present advantage will justify national disregard of this high behest, or heal the wound inflicted upon the honor of a nation by the abuse of its power.

Since the last meeting of this Conference a year ago, there has been a notable triumph in the cause of international arbitration, in the submission by the United States and Great Britain to an arbitral tribunal of the difficult questions arising out of the disputed Alaskan boundary, which had so long vexed the diplomacy and menaced the peace of both countries. It is hard to exaggerate the importance of this submission and of the judgment which ensued. The question submitted was not only one of long standing, but involved many things irritating to the inhabitants of both countries. Feeling and passion had become excited on both sides, and the conditions which are generally antecedents of war were beginning to be manifest. All that has now passed away with the judgment of the tribunal, and, notwithstanding some outcry from our friends across the Canadian border, general acquiescence characterizes the situation. Moreover, the submission involved a territorial question, and it was also thought, by excited patriots, to touch to some extent the honor of the two countries; in other words, the submission covered points which cautious friends of arbitration have been over-careful to exclude from its jurisdiction.

The submission to the Hague Tribunal, by three of the most powerful nations of the world, of the question of preferential treatment in the payment of claims by the Venezuelan government, is another notable triumph, from which we take much encouragement for the future. A warlike demonstration was being made by the claimant nations, any one of whom could have enforced its will, with comparatively little trouble, against so weak a debtor nation. The assent given by the governments interested to the insistence of the United States that their claims should be submitted to arbitration, and their final agreement to refer a part of the controversy to the Hague Tribunal, has done much to strengthen the sentiment that supports this great international tribunal.

These two arbitrations and the contention by our State Department for world-open ports in China are in line with the best traditions of American diplomacy, and reflect credit on the Administration which promoted them.

I trust that I am not too optimistic. I fully realize that there are yet many difficulties to overcome, and that stout hearts and a firm purpose are necessary to the accomplishment, even in part, of the object we have in view. But we have passed through the stage of indifference, and contest now with those who oppose would only strengthen our cause. The growing civilization of our time, the broader humanity and more catholic spirit that characterize the generation now on the stage, the diffusion of intelligence and the freer intercommunication of thought between the peoples of the world, have brought to our side the most generous impulses and pious aspirations of the day in which we live. We hail the oncoming years of the new century with high hopes and renewed faith.

The President then introduced DR. BENJAMIN F. TRUEBLOOD, who presented the following review of

THE YEAR'S PROGRESS IN ARBITRATION.

ADDRESS OF BENJAMIN F. TRUEBLOOD.

The standard by which the progress of arbitration is now to be measured is the Hague Court, the way in which the governments act toward it and the people think and talk about it. With this standard before us, what has the last twelvemonth to show?

When we were here last year, the Court had dealt with and settled quickly and inexpensively the Pious Fund Case, and we were throwing up our hats that the august tribunal had got successfully under way through the stimulation of the two foremost republics of this half of the world.

Since that time the Court has had before it and disposed of the most remarkable lawsuit, if lawsuit is the proper name for it, which the world has ever seen. The question at issue was whether Great Britain, Germany and Italy, the three powers which had sent

out their fleets to collect by force from Venezuela some debts claimed to be due sundry of their citizens, should have preferential treatment over the United States, France, Mexico, Spain, the Netherlands, Belgium, and Sweden and Norway, in the payment of their claims from the thirty per cent. of the revenues of the two specified ports which had by agreement been set apart for that purpose.

The three belligerent powers on the one side and the seven pacific ones on the other — five of them great powers, six of them smaller — appeared on an equality at the bar of the Court, represented each by agents and counsel as eminent as the civilized world could furnish. Just here lies the immense significance of this case. The decision has given great disappointment. The arbitrators selected for the determination of the controversy seem to have thought that the case was not before them in the large and important sense which the public generally supposed. Venezuela had promised, through Mr. Bowen, that if the blockading powers would lift the blockade, thirty per cent. of the revenues of two specified ports would be set aside for the payment of their claims. The pacific powers had not yet appeared in the negotiations. So the Court treated the case as one of contract, and decided unanimously that the three blockading powers were, because of this promise, entitled to full payment from these specified revenues before the other powers should receive anything therefrom. Under the circumstances no other decision seems to have been possible. The award is likely to have considerable influence in inducing the governments of the world to observe their contracts and promises more scrupulously than they have heretofore done.

However narrow and disappointing the decision may seem to many, the fact that eleven powers, including so much of the civilized world, appeared at the same time before this new international court, submitting their contention candidly to its jurisdiction and then loyally abiding by its decision, is an event of the first magnitude in the organization of justice and peace among the nations.

The Japanese House Tax controversy, which was referred to the Court before the Venezuela case, has not yet been disposed of. The written arguments have been presented to the arbitrators, and the counter cases will be presented in the course of a few months. The decision of this case, which may be expected next winter, will probably settle for all time to come in international law the question whether foreign residents can be taxed for improvements upon land held under perpetual lease.

But the Hague Court has received still more signal support during the year. Great Britain and France, France and Italy, Great Britain and Italy, Holland and Denmark, Great Britain and Spain, France and Spain, and France and Holland have, within the last eight months, concluded treaties under the terms of which they have pledged themselves to submit for five years certain classes of cases to the International Court. The treaty between Holland and Denmark is without limitations. The others reserve questions of vital interest and national honor, whatever these may be.

The story of the negotiation and conclusion of these treaties reads like romance. The campaign which led to the signing of the first of them, that between France and Great Britain on the 14th of October last, was one of the most remarkable in the history of social progress. All the important Chambers of Commerce and Boards of Trade in both countries were canvassed by Dr. Thomas Barclay and others, until two hundred and seventy-five of them had voted resolutions in favor of a treaty. All the Departmental Councils of France, more than eighty in number, were consulted by Mr. D'Estournelles de Constant, leader of the Arbitration Group in the French Chamber of Deputies, and more than three-fourths of them voted in favor of a treaty. Mr. Delcassé and Lord Lansdowne understood the meaning of this public mandate, and quickly concluded the treaty of October 14, the first convention in history in which two first-class powers have agreed in advance to submit certain classes of disputes to an impartial tribunal. I do not forget, in making this statement, the honor which must always belong to Chile and the Argentine Republic, not powers of the first rank, which first in the history of the world concluded a treaty of obligatory arbitration. After the Anglo-French Treaty, there followed on Christmas Day the treaty between France and Italy, and soon after the other five above mentioned. In addition to these European treaties, Bolivia and Spain have also concluded an arbitration convention without limitations.

The movement which led to these treaties has not yet spent itself. France is in negotiation with a number of other governments, some of them in South America, for similar agreements. Within the last month it has become known that Norway has commenced negotiations for arbitration treaties with no less than ten governments. It has been known for more than three months that several of the powers of western Europe have approached our own government with proposals for treaties of arbitration similar to those already concluded in Europe. It is reasonable to expect, therefore, that before another Mohonk Conference convenes from half a dozen to a dozen more arbitration treaties stipulating reference to the Hague Court will have been signed.

It is in place here to say that the recent remarkable agreement between France and Great Britain, declared to be the greatest diplomatic accomplishment of modern times, an agreement which disposes of, or provides for the disposal by arbitration of, all the outstanding differences between the two countries, is a direct fruit, not only of the existence of the Hague Court, but also of this movement for special arbitration treaties stipulating reference to the permanent tribunal. It has often been claimed that when arbitration becomes the settled and recognized method of settling disputes, there will probably be less and less use made of it, because diplomacy will then be ready to adjust all ordinary controversies by direct negotiation. In this great agreement France and Great Britain have settled by direct diplomatic means more differences than are likely to be referred to the Hague Court in the next ten years. Under their recent

arbitration treaty most of these differences would finally have gone to the Hague Court, and the foreign offices concluded that it was just as well to take them directly in hand and dispose of them. How much they thought of taking the glory of it to themselves, one cannot say. They certainly are entitled to all they have got out of it.

The Hague Court has recently received from Switzerland a bit of indirect support which may prove to be of the greatest moment. In completing their arbitration agreement, the Argentine Republic and Chile chose the King of England as their general referee. In the cases, however, where England might happen to be a party to the dispute they decided to make the Swiss Federal Council their arbitrator. When asked if it would serve in this capacity, the Federal Council promptly responded that since the Hague Court had come into existence it considered its rôle as an arbitrator at an end. Switzerland has done many services to the cause of arbitration, but probably never a greater one than this.

Not much progress has been made towards the ratification of the arbitration treaties signed at the Pan-American Conference more than two years ago. After waiting two years, the United States Senate Committee on Foreign Affairs, just before Congress adjourned in April, reported favorably the treaty providing for the submission to the Hague Court of all questions of claims between the American States. Only one or two of the Central and South American Republics seem as yet to have given any serious attention to these treaties.

Besides these cases dealt with by the Hague Court, a number of differences have been during the year referred to special arbitrators or arbitral commissions. The most important of these are :

The boundary dispute between Ecuador and Peru.

The boundary dispute between Colombia and Peru.

The claims for indemnity of French citizens on the Treaty Shore of Newfoundland; provided for under the general agreement between France and Great Britain.

The question of the boundary line at the entrance of the Christiania Fiord, between Sweden and Norway.

The land question in the New Hebrides, between France and England; also provided for under the Anglo-French agreement.

The Barotzeland frontier question, between Great Britain and Portugal.

The controversy between the Turkish government and the Administration of the Ottoman debt.

Within the year several cases referred to special arbitrators or commissions have been decided. These are :

The ten cases of claims against Venezuela, most of which have been completed. These cases were really arbitrations, as provision was made, in case of necessity, for umpires.

The interpretation of Article 10 of the Commercial Treaty of 1874, between Italy and Peru.

The Tientsin Railway Siding dispute, between Russia and Great Britain.

The Alaska Boundary dispute.

This Alaska Boundary Settlement, though not strictly an arbitration, is a great triumph of the principle of pacific adjustment. The immediate dissatisfaction in Canada produced by the award seems largely to have passed away. The removal of the matter from the field of controversy, where it would necessarily have continued to produce distrust and friction, will in the nature of the case have a decided influence in promoting friendly relations between us and our northern neighbor.

Besides the above cases, several which have been left over from previous years are still pending.

The most important event that has occurred in this country during the year in connection with the arbitration movement was the formation in Congress on the 13th of January last of an American Group of the Interparliamentary Union. This Union, which has been in existence for fifteen years, and has grown to be a powerful association of more than a thousand members, from the parliaments of all the constitutional governments of Europe, has hitherto had little following in the United States, only two or three members of our Congress having been connected with it. It was on the initiative of Hon. Richard Bartholdt, Member of Congress from Missouri, supported by Hon. Samuel J. Barrows, ex-Member of Congress from Massachusetts, that the American Group was organized in January. The Union has accepted the invitation of the American Group to hold its Conference this year in St. Louis the first week in September. Congress has, at the suggestion of the Group, appropriated fifty thousand dollars for the entertainment of the foreign delegates, and it is expected that the meeting in September will be one of the most imposing demonstrations in behalf of international arbitration and peace ever held.

On the 12th of January, the day before the organization of the Group above alluded to, a great Conference was held in Washington in the interest of arbitration and especially of an arbitration treaty with Great Britain. This Conference was organized, under the lead of Hon. John W. Foster, for the past two years chairman of this Conference, by the National Arbitration Committee appointed by a similar conference held at Washington in April, 1896. This Conference brought together the most distinguished body of men — statesmen, diplomats, jurists, clergymen, educators, men of affairs — that ever met on American soil for a like purpose. The Conference adopted resolutions urging our government to negotiate a treaty with Great Britain, and other powers ready to act, providing for the submission to the Hague Court of all controversies not capable of solution by ordinary diplomatic agencies. Both the President and the

Secretary of State, to whom the resolutions were communicated, expressed their cordial approval of the purpose of the Conference, but no steps have yet been taken, so far as is known, toward the conclusion of such treaties, because the Senate, as a part of the treaty-making power, has not yet shown itself ready to move in the matter. A sub-committee of the Senate Committee on Foreign Affairs, to whom this subject was referred, is reported to have in contemplation a comprehensive scheme of arbitration treaties with other nations going beyond anything that has yet been done; but, so far as I know, the details of the scheme have not yet been made public.

No adequate conception can be formed of the strength of the arbitration movement during the past year without taking into account the work of a large and increasing number of organizations whose special aim is and has for a long time been the promotion of better relations among the nations. Foremost among these are the Peace Societies, of which there are now about four hundred and fifty, which have carried on a vigorous campaign through the entire year. The Twelfth International Peace Congress, composed of delegates from these societies, and others, to the number of more than five hundred, held at Rouen, France, in September last, advanced the cause of arbitration and peace in Europe to a position of public confidence and influence never known before. No less powerful was the influence exerted by the Interparliamentary Union Conference held in the early part of September at Vienna, under the auspices of the Austrian government, and attended by about six hundred delegates from the various European Parliaments. A little later the International Law Association Conference, held at Antwerp, and attended by more than a hundred eminent jurists and publicists, devoted an entire day to the subject of arbitration, which it has made a part of its program for more than thirty years. Furthermore, national peace and arbitration conferences in different countries, many commercial and industrial associations, labor organizations, church and social clubs, women's societies, like our National W. C. T. U. and the National Council of Women, have, during the year, been laboring in season and out of season for the promotion of the same great object for which we have met here to-day.

It is well within bounds to say that never before has the movement for the general and permanent use of arbitration, through an established and universally recognized tribunal, been so deep and strong and widespread, and the hope of its early and complete triumph so great, as since the Conference met here last year.

MR. SMILEY: It may interest you to know that one of the four judges appointed by our government to the Hague Court is with us to-day, our presiding officer, Judge Gray. One of the judges on the panel of the Hague Court from Mexico, the Hon. J. M. Gamboa, is also here.

THE PRESIDENT: I hold in my hand a letter which I think you

will hear read with pleasure, as most of you know the writer. I will read it in part.

The President read the letter, omitting all references made to himself. The Secretary, Mr. Clinton Rogers Woodruff, afterwards read to the Conference the closing paragraph of the letter.

BROOKFIELD FARM, BRYN MAWR, PA.,

May 28, 1904.

My Dear Sir: As duties to others which I am not at liberty to disregard will prevent my attending the Conference next week, I wish to express, in this imperfect way, my sense of profound obligation, as an American citizen, to Mr. Smiley for his generous and unselfish labors in the cause of international arbitration.

The work he has accomplished in furtherance of that good cause during the last ten years cannot be exaggerated. When he called the first of these now historic conferences, there was little interest in the subject and little hope of arousing any.

To-day the Lake Mohonk Conferences are known and honored all over the world, and they exert an ever-increasing influence in favor of peace and goodwill among the nations. These conferences offer indeed a most valuable object lesson of the good which can be done by a modest private citizen, if he is actuated solely by a desire to help his fellows, instead of harming them.

And the present Conference meets under the most auspicious circumstances, not only in the attendance of the distinguished clergymen, statesmen and citizens who will be present, but also in the fact that one of the foremost statesmen and jurists of the country will preside over its deliberations with the ability, the impartiality and the dignity which characterize Mr. Justice Gray.

Sincerely yours,

WAYNE MACVEAGH.

To H. C. PHILLIPS, ESQ.

The following message to the Conference from Hon. James Bryce, President of the Anglo-American League, etc., was received after the Conference closed :

It gives me great pleasure to hear that the Mohonk Conference is about to discuss the proposal of an Arbitration Treaty with England. Public opinion here would be altogether favorable to such a treaty as has been suggested; and I can, as chairman of the Anglo-American League, assure the Conference of the great satisfaction with which the League will hear of the efforts which the Conference proposes to make in favor of a project so beneficial to both nations.

Faithfully yours,

JAMES BRYCE.

Rev. EDWARD EVERETT HALE, D. D., who was next introduced, spoke as follows :

THE CREATION AND VOICING OF PUBLIC OPINION.

ADDRESS OF DR. E. E. HALE.

My business is to ask the Conference to stick to its business. I am to speak two or three minutes on the importance of our doing something, and of the importance of our following the lead of the

great leaders of mankind, that is to say, the men of affairs, who contribute a great deal more to this business than anybody else does. It was very striking at Washington, on the occasion of the second great national conference held there under the lead of our distinguished President of last year, the Hon. John W. Foster, to see the effect produced on the spirits of people by the presence there of men of business, men who know how to cash a check, and such things as in general divinity students do not know. [Laughter.]

I am bound to say that the great effect that conference was to produce was neutralized for the moment by a certain unpleasantness which I am not permitted to allude to now, between two nations which I am not permitted to name, which happened to attract the attention of Argus-eyed Press. At that moment the press was engaged in recounting the great horrors which had taken place in another part of the world; and from that moment to this you will find more columns devoted to a single ounce of dynamite than you will find, for instance, devoted to the proceedings of this Conference.

All the same, the event to which I have just alluded and of which I have not yet spoken, the great events which took place in another part of the world, of which I will make no further mention [laughter], have done a great deal to reinforce the lessons of Bloch's sixth volume, which every person in this assembly ought to read. Bloch's sixth volume shows us what the wars of the middle of this century are to be, if there are to be any wars then; shows what it will be to make war with another nation which can throw a shell, say twenty miles, so that it would be an easy thing for an advancing army to drop a shell through this building at a distance of twenty miles when we did not know, perhaps, that they were there.

A little after the meeting of the national conference there was introduced into our Congress the Naval Appropriation Bill for the year, which appropriates more than \$100,000,000 for the expenses of the navy, \$22,000,000 of which amount was to be used in the construction of two battleships. It has cost perhaps a quarter of that amount to make Harvard University what it is in two centuries and a half. A friend of ours, Mr. Burton of Ohio, whom I am sorry not to see here, had the courage to oppose that appropriation. He said we already have the best line of battleships in the world, and he thought we could get along for twelve months without those two additional ships. It is gratifying to be able to say that the advance of public opinion in this country is such that Mr. Burton gained two votes in support of his proposition. [Laughter.]

I think you will agree with me that the very definite fact which Mr. Bloch had long ago pointed out, that, as a gentleman said to me just now, "a little gray painted squid of a thing which you cannot see across the water can put out of existence the famous line-of-battle ship—and alas! with her the thousand men in her,"—I think that that object lesson proposed to the world may be considered as one of the greatest elements in the advance of the world towards

international justice which has been made within the last twelve months. [Applause.]

There is a certain sovereign whom I must not allude to, who called into existence the Hague Conference — I believe still that he is one of the great pacificators of the world. [Applause.] But I like to speak here of a great sovereign of whom perhaps the world did not expect so much, the seventh Edward of England, who has won for himself the title of the great Peacemaker of the world, and who we may hope is now harboring plans which may make peace between the two belligerent countries.

I have had the pleasure and the honor of living in Washington for the last four or five months, and I like to say here that if Congress seems to be — as has been implied by our friend who has just spoken — a little laggard in the affairs of our negotiations, perhaps there may be more under the surface than is put in the front lines of the newspapers every day, and it may prove that a little Fabian delay may produce a better result than a sudden movement. After the severe rebuff which Mr. Olney and Lord Pauncefote received after one of their great endeavors, which has put their names in history for the next thousand years — after the rebuff which they received by the rejection of the Olney-Pauncefote Treaty, the government of this people has known that it must depend upon a strong public opinion behind it if it means to go into anything of this sort.

I do not believe that the people at large apprehend the effect of what are called "Sewing Circle Politics," of what are called "Go-to-Meeting Politics," and so on, on the affairs of nations. But our distinguished friend, Frederick W. Holls, to whom, as I believe, the world owes the three Hague Conventions, who has been called to higher service since we last met here, told me a little anecdote of what he believed to be the personal effect of public opinion. He was talking with one of the foremost diplomats in the world at a very critical moment in the Hague Conference, and he said to this diplomat, "If your Master wants to be remembered with more contempt than Napoleon III., he will block this Hague business, for the people of America mean to see this thing go through, and, as your Master knows, the people of America are to be the dominant power in forming the opinions of the twentieth century." To which the foreign diplomat replied: "The people of America,—what do you know about the people of America? Every delegate at The Hague receives instructions from his Foreign Department once a fortnight; you receive yours. What do you know about the American people?" "Once a fortnight!" said Holls. "Here is what I got this morning; let me open my mail." And he opened message No. 1, a telegraphic dispatch of thirty-one words from thirty-one Baptist ministers in a county that you and I never heard of in the State of Washington, instructing him what he was to say to the Emperor of Germany and the Emperor of Austria and the King of England about this treaty. [Laughter.] "You have been in America, Count," said Holls; "you

know what a meeting of Baptist ministers is. These poor fellows have met together out there in Washington, and each one of them has chipped in his dollar bill that that dispatch might arrive here this morning, and I have it here now." The man said, "Might I have a copy of that?" "Have that," said he, "show it to your man if you want to." [Laughter.] And Holls told me that two or three such instances of the real public opinion of the real people of this country, as he believed, determined the opinion of one at least of the greatest sovereigns of the world as to what was the public opinion of America.

Now what you and I have got to do is to create and organize and give voice to that public opinion. We ought to think with the greatest thankfulness of the work of the Associations in conducting the correspondence of the Commission for International Justice. I have found no correspondents so much interested as the State Secretaries which Miss Willard created a dozen years ago. There is a committee of the W. C. T. U. — the chairman of which committee, Mrs. H. J. Bailey, is present with us in this room — for the voicing and publishing of what can be known about the arbitration business. And if you will permit me to say so, that is exactly what we are here for. And if we can organize before we go away a propaganda which, in a dozen of the principal cities, shall bring together the leading men, such men as Judge Foster himself, as Judge Gray, as Provost C. C. Harrison of the University of Pennsylvania, as the leaders of St. Louis to-day,— bring them together to have this work done,— we shall bear a share which we shall not be ashamed of in the politics of the next century. [Applause.]

The Chairman next introduced MR. THOMAS NELSON PAGE to give an account of the Arbitration Conference held at Washington in January last.

THE NATIONAL ARBITRATION CONFERENCE AT WASHINGTON IN JANUARY LAST.

ADDRESS OF MR. THOMAS NELSON PAGE.

Mr. President, Ladies and Gentlemen: I am here not as a speaker, but in a capacity which I feel to be quite as honorable,—that of messenger from Hon. John W. Foster, who has for two years been your presiding officer. Unfortunately, he himself was not able to attend the Conference this year, because his health has been very much impaired this spring by recurrent attacks of the grip, and so he was afraid to undertake any arduous duties just now. Not that he is not engaged in arduous duties, for you who know him will feel perfectly sure that there is no moment of his waking hours which is not filled with application to duty. More than any other man that I have ever known, he establishes the proof of the saying of the wise man of old, "Seest thou a man diligent in his business, he shall

stand before kings." In season and out of season he has been working for this great movement in which you are all interested ; and, as the secretary of the conference in Washington last winter, which sprang largely, I think, out of the conferences which have been meeting here,—for these conferences have blazed the way for other conferences in favor of international arbitration,—he requested me to come and represent that conference.

I was expecting to give you a brief account of the work of the conference in January last, but as a matter of fact everything that I had even thought of saying, and a great deal that I had not thought of saying, about the history of that conference, what had led up to it and what has followed it, has been so much more ably said by the three eminent speakers who have preceded me that I am going to spare you a repetition of it.

I may say that at that conference we were greatly encouraged by the work that was done and by the interest that was manifested in the country at large when the conference was being called. The executive committee of the former conference had in November given notice that a conference would be held, and a committee was formed by Mr. Foster (who had on the death of Mr. Dodge succeeded to the chairmanship) to meet in Washington on January 12. Meantime, correspondence was had with various organizations and representative citizens throughout the country, and a very large and influential assembly gathered in Washington.

There were two sessions of the conference. The first session adopted the resolutions which have been referred to here to-day, the chairman of the Committee on Resolutions being your distinguished President here this morning. Those resolutions were transmitted to the President of the United States, to the Secretary of State and to Congress, and nothing appears to have been done, formally, at least, with them. I know some of the friends of international arbitration have felt that because no formal action has been taken on these resolutions, therefore the movement had stopped. It seems to me that the movement has very far from stopped. I think it has gone on with increased impetus and force as it has never done before.

As a matter of fact, I think that the most encouraging sign that we have had of its progress since that time has been the formation of the American Group of the Interparliamentary Union which has been referred to to-day.

What we need more than anything else is to be able to say to the Congress of the United States that the people are ripe for an international arbitration treaty between the powers of the earth. One of the Senators said to me when I approached him on the subject, "When the people want an international treaty for arbitration, the Senate will ratify it." Now, I think that this movement on the part of members of Congress shows that they themselves recognize that the time is ripe for it, and I shall be greatly disappointed if an

international arbitration treaty does not go through at the next session of our national legislature.

The Senate, which has the responsibility of passing upon the international arbitration treaty, is right to move with more slowness and deliberation than the people who call upon them to act. I know that there are many members of that Senate who are in favor of the principle of international arbitration, and yet who have found themselves restrained from voting for it because no formulary could be adopted which they thought would meet all the necessary requirements and which might not prove disadvantageous to the very movement which we are advocating. They must take time; and, as we know, the Senate of the United States *does* take time. But I do not wish to say anything uncomplimentary of the Senate. I feel very confident that the Senate — in time — will adopt an arbitration treaty. Seriously, I feel that they are on the way to it now.

I would say to you that, although it does not appear on the surface at all, the movement is going forward there. This Bureau, of which we all constitute a part, is in existence. Through the public spirit of one of our well-known citizens, who contributes of his wealth towards the upbuilding of great institutions, a sufficient fund has been provided to defray the necessary expenses of the carrying on of this movement, and a Bureau of Information has been organized by Mr. Foster in Washington. Although it has seemed not feasible to push it very actively during the next two or three months, when we shall be engaged in a somewhat different propaganda in this country, we think it can be carried on quietly even along with the issues of the Presidential campaign, and as soon as that question shall be settled you will find that this organization will go forward actively in its work.

We hope that you will consider that you are all members of this organization. You will receive in due time circulars from this Bureau of Information, and the other steps which have been outlined will be taken. We hope very much that by the time Congress meets again the organization of the good people of America whom you represent here to-day will have been made so strong and the expression of their wishes made so clear that it will be understood that the time is ripe for Congress to give us a proper treaty of arbitration. It may not be the one that we conceived of; it may not be one which has been presented hitherto; but I feel sure that it will be a proper treaty and one that will redound to the good of the nations, for the principle is already in existence, and the rest of it is only a practical question of preparing the details.

There is one other thing which gives me great hope. The Senate of the United States has had the wisdom to elect as their chaplain one of our most distinguished members, a man who has very much at heart this question of international arbitration, and I think that if from day to day, as he invokes the divine blessing, Dr. Hale would drop a little seed into the hearts of his hearers, in time we should have the fruit. [Applause.]

DR. HENRY M. LEIPZIGER of New York, Supervisor of Free Lectures under the Board of Education, was next introduced, and spoke as follows :

PROMOTING THE DAY OF PEACE THROUGH EXISTING ORGANIZATIONS, ESPECIALLY THE SCHOOLS.

ADDRESS OF DR. HENRY M. LEIPZIGER.

I came here to listen. I did not expect to have the honor of addressing this audience so suddenly thrust upon me. It is an inspiration to stand in this rare place before this rare company to speak on the noblest topic that the tongue of man can touch. How to bring about peace among the nations ; how to hasten the time when the sword shall be beaten into a ploughshare and the spear into a pruning hook — in what nobler work can man and woman engage ?

As I listened to the speeches of this morning, and as I recall the magnificent report of Dr. Trueblood, with its wonderful story of the progress that arbitration has made during the past year, it seems to me to prove the truth of what the German poet Boerne said, "Nothing is real but the ideal ;" and that the dream of the prophet, to which he gave expression twenty-five centuries ago, is gradually becoming realized, for the ideal of America is peace and good will towards all men. [Applause.]

It seems to me that we can practically hasten the day of peace through existing organizations. You, Mr. Chairman, in your admirable opening address, uttered the thought that one way to bring peace among the nations was to increase the spread of intelligence among the people, especially among the people of the so-called civilized group. In Dr. Trueblood's address he referred to the increase of arbitration among the first-class powers of the world. He used the term "first class" as it is undoubtedly used, say, in the "Statesman's Manual," that is, such powers as have armaments of the first class, or large standing armies or overflowing treasuries. It seems to me that two of these first-class powers — England and France — never exhibited their first-class qualities more strikingly than when they agreed upon the numerous plans for adjusting their differences which have marked their recent relationship. [Applause.] In the future it will not be the size of a people nor of its army that shall make it first class, but the character and the spirit that its people exhibit.

How can we spread among the people an appreciation of the value of international arbitration, and overcome the desire for war ? As has been before said, by spreading among the people genuine intelligence of the cost of war, of the horror of war, of the cruelty of war, of the sinfulness of war. To teach the people the triumphs of peace, the glory of commerce and the victories of industry, and to spread this gospel of peace among the people of this country, the

teaching force of our land should be enlisted. They should be the real missionaries of peace. The state of New York has a National Guard of fourteen thousand men; the city of New York has in its public schools a force of fourteen thousand teachers. Which is the real National Guard? Is it the soldier or the teacher? [Applause.]

I recall, in my early experience as a teacher in the public schools, in teaching the subject of American history, with what delight I dwelt upon the details of the War of the Revolution, the Mexican War and the Civil War. The campaigns of these wars form the chief staple for the teaching of American history, and the peaceful progress of our country in the realm of invention and of commerce and of discovery is too little touched upon. In teaching history we give the part that war has played in national development undue prominence. Some two years ago, while passing through one of the streets in the city of Zurich, Switzerland, I saw a most noble statue. It was the figure of a plain man, without any uniform, and by his side stood the figure of a little boy. It almost seemed to me a counterpart of the great picture of the Sistine Madonna. It was a statue of Heinrich Pestalozzi, an elementary school teacher. If statues are erected in our public squares to commemorate the great heroes who have helped to build the nation, and thus create a proper national spirit and a proper public opinion, should not the statues be the figures of the teachers and benefactors rather than the figures of the great military captains? [Applause.]

The spreading abroad of the example of peace as widely as possible can be furthered if all the cities of our land could adopt a plan similar to that of the work in which I am engaged. Contemporaneously with the beginning of these Mohonk Conferences, the city of New York established a movement for the continuance of education for the masses after school age. The majority of the pupils of the schools of our land leave at about the age of fourteen. A great power of public opinion is wielded by those whose early education is therefore limited. Education in a democracy must be continuous. The school must be, as Horace Mann says, not alone a nursery of children, but a place for the instruction of men and women, and the city of New York, believing this idea, has established a system of adult education by lectures attended by men and women of all ages, at which, during the past season, gathered a total attendance of nearly a million and a quarter. Through this system the gospel of peace can be preached to all the people of the cities of our land, for it is they, really, who hold in the hollow of their hand the destiny of this mighty nation. It is public opinion, rightly moulded, which will bring about the ratification by our Senate of the treaty between England and the United States which we desire to see come into being.

It may be interesting to this body to know that last year, when the two hundred and fiftieth anniversary of the founding of New York as a municipality was celebrated, it was resolved not to have

as its chief feature a military parade, nor in fact to have any military parade at all, nor a monster banquet, but to celebrate it in a novel way. One hundred lectures on the growth and development of New York City, including reference to the main historical episodes, were given in the schoolhouses and in the public squares. These lectures were illustrated by pictures thrown upon the screen and by moving pictures illustrative of the municipal activities. All these lectures were given during what was known as New York Week, and the attendance was exceedingly large. In this way the example was given of a peaceful civic celebration.

Through the schools, through appropriate statues, by using national holidays as means for the spreading of the gospel of peace, by making the people believe in all their relations that arbitration — an appeal to reason — should rule, we can hasten the day when all the people of the world shall realize what human brotherhood really means. [Applause.]

THE PRESIDENT: The opportunity now comes for those who wish to say something to the Conference, and who may favor us by volunteering to give us the thoughts that have arisen in their minds during the progress of these exercises. The Conference is now ready for five minute speeches.

HON. JOHN H. STINESS: In order to break the ice, I would like to say one word with reference to a matter brought out in Dr. Trueblood's paper — the recent decision in the Venezuelan matter.

Like others, at the time I was a little surprised at the decision, but as I have studied the matter it seems to me to have been one of the most formative judgments that could have been rendered. The question has always been, What will come after the decree by an international court; what are you going to do if the nations will not abide by the decision? It seems to me that this judgment in the Venezuelan matter has shown the analogy between the procedure of this Court and the courts of law with which we are familiar.

Suppose any of you have a claim against a man who refuses to pay; you get a judgment and take out execution, and the sheriff levies upon the debtor's property. The man may be big enough to knock down the deputy sheriff, but he does not dare to do it because the power of the people is behind the officer. I see in the decision of the Venezuelan case a type of remedy for the collection of debts, by peaceful blockade or seizure of a port, as an officer would seize a store. The analogy between that and the ordinary suit at law is very suggestive.

Of course no system has yet been adopted; this is but the beginning, but by the beginning and through the beginning we can see the end. It seems to me that this very judgment of the Hague Court in the Venezuelan matter is but the first step, showing that international arbitration is not only right, not only proper, but that it is just exactly as practicable as an ordinary suit at law.

DR. HALE: If no one else rises to speak, here are a few words of Frederick W. Holls, the author of the history of the Peace Conference at The Hague, which I think are worth reading here. At page 368 he says:

“Under these circumstances it seems most fortunate that at the very time when the old order is changing, the foundation should be laid of a system which will encourage an even higher development along traditional diplomatic lines. To say that the new system will make diplomacy unnecessary is simply absurd. With the adoption of Magna Charta and the development of English Constitutional law, the rude clerics who, before King John’s time, had assisted the ruder litigants, were superseded by the glorious company of English jurists, whose services to the cause of liberty can hardly be overestimated. The change in diplomacy will be similar.”

Then he goes on to say:

“To the question, What remains to be done to insure the success of the work of the Peace Conference? the reply is quite obvious. Public opinion remains the final source of power and success in public affairs, for an institution as well as for an individual. To the creation of favorable public opinion every intelligent and patriotic man or woman in the civilized world is called to contribute his or her share, be it great or small. The response of the English-speaking public to this call has never been doubtful. But even in those Continental countries where dense ignorance, insipid wit, and the silliest sarcasm seemed to take the place of intelligent and decent discussion of the Conference and its work, there are signs of dawn and enlightenment.

“It is most encouraging and of the highest importance that upon the whole Continent the governments are apparently in advance of public opinion upon the entire subject of the Peace Conference. The reason is not far to seek. No man who is fit for the position can to-day hold a place involving the direction of his country’s international policy without feeling an almost intolerable pressure of responsibility. To him every remote chance of a lightening of his burden comes as a promise of blessed relief. It is an historical fact that none of the obstacles to success which the Peace Conference had to overcome originated in the mind of any sovereign or high minister of state. In every case they were raised by underlings without responsibility, and anxious to show superior wisdom by finding fault. So long as this favorable governmental attitude continues there is every reason for encouragement.”

It seems to me that is a very important question to us in keeping the public opinion of the sovereign of this country—who is the people—alive and strong.

THE PRESIDENT: It has long been thought a reproach of international law that it has no sanction, and I have heard men scoffing at its obligations because there was attached to them nothing of what lawyers call “the sanction of the law.” But, as Dr. Hale has just suggested, what after all lies back of all international law and obligations and gives them their force, more potent sometimes than armies or sheriffs, is the unseen power of public opinion.

I believe in the Venezuelan award there was an attempt to make something like a sanction by calling upon the United States to enforce the award against Venezuela, and there was some objection. But at all events the want has been felt, and you will be glad to hear that phase of the question somewhat expanded and elaborated here. It is a very interesting subject.

HON. HENRY E. COBB: I have but a brief word to say. The Arbitration Treaty which has been recently ratified between France and England, I am creditably informed, was largely brought about by the action of the mercantile and commercial bodies of both countries, and those bodies were stirred into action by the efforts of Dr. Barclay, who recently visited this country. Similar efforts have been made in this country to obtain the influence of commercial bodies, and I happen to belong to a committee which has that in charge in Massachusetts and New England. That committee has obtained resolutions from all over New England and from New York, Baltimore and Chicago, and the large commercial bodies have appointed committees to bring influence to bear upon Congress which shall finally result in the passing of an arbitration treaty.

I believe that is a very important move. It is one that can hardly be carried forward to any extent until after the election in the fall. The committees intend as soon as that time arrives to institute an active campaign and endeavor to persuade our Representatives in Congress that the business men of the United States not only ask but demand that there shall be such relations between this and other countries as shall forever put at rest all danger of war.

DR. TRUEBLOOD: May I say that Mr. Cobb is the chairman of the Massachusetts committee to which he refers, and if any business men wish to communicate with him about the subject I am sure he will be glad to have them do so.

HON. ROBERT BAKER: I have frequently asked myself why it is that the idea which is the basis for this Conference, which, for a number of years, has seemed to have a large following among the higher intellectual people of the United States, as well as of the leading European nations, should make so little apparent progress.

We have just listened with a great deal of pleasure to the report of Dr. Trueblood; we have noted the interesting events which he has related, which appear to be, and I think really are, indicative of considerable progress towards our ultimate object, universal peace. But at the same time we ought to look at the other side of the picture. I believe that the other side of the picture exists to a very considerable degree just because such gatherings as this, just because the kind of people who are gathered here to-day, do not attempt to lay out a consistent course towards this idea. They pray for international peace, but do they pray for domestic peace? Now that may seem a foolish question to many, but it is impossible to get the American people generally to take more interest in the affairs of their country with the other nations of the world than they do with the affairs of each with the other. And, until the intellectual class, such as are gathered here, are prepared to, and do, frown upon every act of their officials, every act of their representatives, every act of their legislative bodies, which makes for domestic war, you cannot hope to make any large advance towards international peace.

Now what do I mean? Just to give point to a matter that has

been referred to by one of the speakers here this morning. We have been told of the formation during the recent session of Congress of an American Group of the Interparliamentary Union.

MR. SMILEY: Mr. Baker is a member of that Group.

MR. BAKER: That is true, but that is not what I was going to speak of. We have also heard it stated, and that is significant and very important, it seems to me, that at this same session only two votes were recorded in Congress, not against a navy, not even against large appropriations, but against an appropriation for two more battle-ships. And I was not one of those two, not because I would not have been one of the two, or rather made it three, had I been there, but it happened that at the time I was at home sick. There were some forty odd members of Congress present at the meeting in January when the American Group of the Interparliamentary Union was formed. It is certainly not probable that when some sixty days subsequently that vote was taken as to whether we should go on and appropriate some eleven millions of dollars for those two new battle-ships, there were none of those forty odd members present other than the two who voted against the appropriation. Now I say it is farcical for men to come together, form themselves into an organization and say they wish the American nation to be a leader for international peace, and then go into the halls of Congress and vote ninety-seven millions of dollars for a big navy. [Applause.]

But more than that: Not one voice, except my own, was raised in Congress against an immense appropriation for the army. Not one. An army, which no one can pretend, I do not care who the man may be that talks about the "necessity" of war, — no one can seriously pretend that we need an army for national defense. We occupy a unique, unassailable geographical position, and the wildest and most fantastical devotee of war cannot conceive of any combination of countries being formed that could make a successful attack upon this country — unless we deliberately throw the gauntlet down to practically every one of the European nations.

Here we had appropriations of \$97,000,000 for the navy, \$70,000,000 to \$80,000,000 for the army, \$7,000,000 for fortifications, and so on, and yet only three members of the Group raise their voices against this fearful waste of the people's money, and the far more wasteful expenditure of the mental energies of the country that is involved in the people looking for causes, or excuses for war, when they ought to be, and would otherwise be, directed, as Dr. Leipziger has said, toward education. Why is this? It is because the members of the Interparliamentary Union, and, I fear, many of those here assembled, look at this matter as a dilettante measure. Let us be consistent. If we really favor peace, let us be in favor of it from the 1st of January until the 31st of December, and not alone on those occasions when some great international event is transpiring. Only last week I saw within ten blocks of each other two immense armories, gigantic forts, being erected in the city of New York,

one occupying almost all of a big block, which, I suppose, is to cost a million or so of dollars. Let us say that this enormous waste now going on every year in this State shall cease. How can the American people, the great mass of the people, ever be successfully appealed to, when told that peace is desirable, when right in their midst you who are of the intellectual people of the United States encourage your members of Assembly to vote millions for the erection of such absolutely useless buildings as these armories [applause], while your Congressmen vote hundreds of millions annually for a big navy and a great army? Are you in favor of peace, or are you not? That is the question.

MR. HAYNE DAVIS: Several ideas have occurred to me from what has been said. The last speaker's remarks bring to my mind the vanishing of the armies of our States. It would never have been possible for North Carolina, or New York, or Pennsylvania, or any of our States, to do away with their armies if the United States had not been formed, organized into a perfect operating government. It was only when that Union was formed that any of these States agreed to give up their right to keep a standing army and a navy. Taking that as a fact and looking at the world in the light of it, we can see how impossible it is for nations to do away with their war appropriations until they organize the world into one political body, practically in the likeness of the United States. When we once see that this is absolutely necessary in order to stop war appropriations, we shall then be on the way toward getting it accomplished.

I do not think that it is altogether inconsistent for members of the Federal Congress to offer to the nations with one hand treaties of arbitration, and, what is more than that, actual organization of all nations into one political union composed of nations as our Federal government is composed of states, and to offer to them with the other hand the largest navy in the world.

If you will examine the money of the country, from the twenty-five cent pieces up, you will find that idea foreshadowed, — you will find that the eagle carries in one claw the olive branch of peace and in the other the thunderbolt of war — it may be lightning, it may be arrows, but it illustrates the idea that until those with whom we have dealings are prepared to deal with us upon a peaceful basis, which we hold out to them with one hand, we must prepare ourselves to deal with them upon the field of action which they elect.

So that, while I have no sympathy whatever with the warlike movement, and would individually oppose war on any conditions, at the same time, that is not the basis upon which the United States stands now related to the world. Unless nations will agree with us to submit every controversy to arbitration, unless they will go further than that and agree with us to organize a United States of the world, with not only a Hague Court but a Congress to declare the principles of law which that Court is to administer, the gentlemen who represent our people in Congress would be unfaithful to the present sentiment

of the people of this country if they did not in time of peace prepare for war.

It is a significant fact, however, that in the very beginning of this country the emblem of peace was put in the right hand, if one may so speak, of the eagle, and the emblem of war in the left. For us who live in the twentieth century it is a glorious thing to realize that the time is at hand when the forces that make for war are losing and the forces that make for peace are gaining in the struggle, while a few years ago it was believed impossible to count on any great and immediate progress in the cause of peace.

From observing such meetings as this throughout all the world, and after giving due consideration to what the constitution of the Hague Court really means, I seriously hope that within ten years from now there will be a regularly constituted Congress of Nations to declare the law which the Hague Court shall have the right to administer.

MARSHALL H. BRIGHT: Will the Conference indulge me a few moments? I listened with interest not unmixed with surprise to the very frank and impassioned utterances of the gentleman [Mr. Baker of Brooklyn] who spoke a few moments ago. Let me say as frankly that I do not at all agree with him, and that I greatly question if his opinions concerning the maintenance of our army and the increase of our navy are those of this Conference; I should be very sorry if they were.

Mr. President, it is a condition and not a theory that confronts us. It is a mistake to suppose that if you vote for a battleship you necessarily or even presumptively vote for war. That no more holds than the inference follows that in voting for arming a police force with clubs you therefore invite them to break heads, or that if you vote for a state militia you therefore encourage armed conflict. On the contrary, in each case an armed force is a guarantee of peace; it is not guns that make war, but the overweening ambition of nations, or the necessity of enforcing justice, as the case may be. Assuredly, for a nation to put itself in the position of weakness, unprepared for defense, is to invite aggression and ultimate war. Every one knows that if there is not a strong man to oppose the bully, the bully will assert himself.

And some wars — do they not stand justified? Where would we be to-day but for our Revolutionary War, and what would we be — and I raise the inquiry in no spirit of sectionalism, which, God forbid! — but for the Civil War? — what, indeed, but aggregations of States dissevered if not belligerent?

And let me here say that there is nothing I am more grateful for than for the privilege of coming here to these Conferences from year to year and getting my very soul stirred in the interests — I will not say of unconditional peace, but as the distinguished jurist (Justice Gray) has said — of “international justice.” I am very glad to come here and join in that spirit which seeks to promote the general welfare

of mankind by removing the war tendency from the hearts and minds of men. And may God so bless this Conference that it shall do this work.

But let me offer the opinion that we are still far from being in that position which will enable us to say, "Not another bayonet, not another battleship!" It is all true, as has been well said, that "the Sermon on the Mount has made the morality of the nations ghastly." And yet we are improving; wars for the succession are happily passed away, and I firmly believe wars of conquest are destined to become things of the past. But this will not be accomplished by our disarming while other nations are arming; it will never come by putting ourselves in a position of weakness, which invites attack — war. We have to keep pace with the countries that are about us and that threaten us, while a general disarmament, agreed upon by all the nations, insures — so far as anything earthly can be assured — a benignant era of honorable peace and the promotion, through the World's Court of Arbitration, of international justice. But until that time comes to nations, including our own, in the matter of armament each nation must keep pace with the others.

Then let us not precipitately and unwisely assail Congress — which I firmly believe has public opinion behind it — for increasing reasonably our army and navy; but let us rather try to promote such a sentiment among the nations as will ultimately lead to a simultaneous disarmament. Then we shall have solved our problem; all of which shows that there is still plenty of practical work before this Conference, the accomplishment of which is essential to the promotion of international justice, — a work than which nothing is nobler, as there is nothing more foreign to its accomplishment than the casting of unjustifiable aspersion upon the military arms of the country, which have done so much to promote its highest interests in the person of its military leaders at critical times, from Washington to our latter-day captains, from Decatur and Bainbridge to Farragut and Dewey. Assuredly this Conference, over every other consideration, is pledged to the cause of international justice. But such a noble work will never be achieved by neglecting the proper military preparations of the time — thus making ourselves the feeblest among the great nations of the earth.

DR. HOMER B. SPRAGUE: May I be permitted to express just one thought? Through all the one hundred and sixteen years since the year 1788; when the Constitution of the United States was adopted, all through the years when we were feeble, when we had no navy to speak of, no nation ever attacked us [applause]; and now, when we are strong, the strongest power in the world, when our strength is gigantic, when we already have a splendid navy, when we could put into the field in a short time five million soldiers, and in six months ten million, what nation is going to attack us? Why should we take counsel of fear, to go on and increase our armaments indefinitely? Shall we not thereby hinder the very thing which this Conference seeks to promote — arbitration with other countries?

HORATIO C. KING : I do not know that it is necessary to prolong this discussion. I am reminded of the remark of an Irishman who said to his companion, "I'll bet you they don't hang for murder any more in New York." "How is that?" said the other. "They don't hang murderers any more in New York," replied his friend, "they kill them with elocution." [Laughter.] But I cannot remain entirely silent, in view of the remarks of our distinguished representative from Brooklyn, my own beloved city.

Some one may say that because old soldiers take the opposite view from this gentleman, we are naturally combatants and aching for a fight. I assure you that there is no one on the face of the earth so desirous of peace as the soldier who has had an experience in warfare and appreciates what war means. I had three years of that frightful conflict, and I tell you I was never so happy in my life as when, encamped only three miles or so away from Appomattox, I heard that Lee had surrendered. But I should dislike to have go out from this Conference that which I regard as a misguided and to a very great extent absurd sentimentalism,—the idea that this world is yet ready to abolish its army, its navy, its police force or its National Guard,—which is after all another form of police. The remark made by my distinguished friend from the Boro' of Manhattan, contrasting the fourteen thousand militiamen in the State of New York with the fourteen thousand teachers in the city of New York, may seem very apt, but I beg to assure him that if it were not for the fourteen thousand militiamen there would not long continue to be fourteen thousand teachers. Every lawyer understands that the law is absolutely powerless without the physical power behind it to enforce it, and this condition must continue until human nature undergoes a very radical change.

There is not a more peaceful assemblage probably in the world than that which we have right here, and yet there is not one of us who, if he is attacked, won't stand up and hit back every time. We recognize the morality of self defense and the right to be let alone. We are in a measure in sympathy with the husband and wife who were fighting. A peaceful man came along and separated them, when the wife said: "What are you butting in for? I guess we are as happy as most married folks."

As Major Bright has said, "As long as other nations arm, we must arm." I regard the army and the navy as the very foundation of peace and the most cogent means by which we can secure arbitration. A weak nation cannot command respect, but a country with a sufficient army and a navy is practically a dictator of its own terms.

MRS. LUCIA AMES MEAD : I would like to say a few words with regard to some points touched upon by the last speaker. In the last eighteen years the population of the United States has increased fifty per cent., its wealth one hundred per cent., and its expenditure for the navy has leaped ahead seven hundred per cent.

I have recently been making some examination of the comparative

statistics for our national defense by education and by battleships. I find that the "Iowa" cost \$6,575,000. That is considerably more than equal to the valuation of all the land and all the ninety-four buildings of Harvard University plus all the land and the seventy buildings of Tuskegee Institute plus all the land and buildings of Hampton Institute. Every thirteen years a battleship goes out of use; that is to say, if by some cataclysm of nature these great educational institutions were swallowed up every thirteen years, land and buildings all going down, and we had to begin again and painfully raise funds to buy land and erect these more than two hundred buildings, the loss would simply equal the cost of one of our older battleships.

But despite the waste and folly of such costly methods of defense, a certain amount of it will be inevitable until a substitute is provided for war. This substitute will not be perfected until the world is organized. Immanuel Kant foresaw that the world could not be safely organized until its constituent elements, the separate nations, had achieved representative government. When he wrote, only one nation of any importance, England, had achieved even nominal representative government. To-day there is only one nation in Christendom, namely Russia, which has not some form of parliament. This gigantic stride toward representative government was the preliminary work, the ploughing and harrowing of the soil preparatory to the great step toward world organization at The Hague.

But the organization of the world cannot stand on one leg alone. It must have two legs: one, the Hague Court, already established and to be at once strengthened and enlarged in scope by general arbitration treaties between all the signatory powers; the second, a quasi-legislative body that shall recommend measures which, when ratified, shall become a body of international law by which the Court shall be guided in the settlement of national disputes.

There is at present before our Congress, voted unanimously by the Legislature of Massachusetts, a petition to our government to take the initial steps in forming such an Advisory International Congress. This was discussed last year at this Conference; and we in Massachusetts are extremely anxious that this very important measure pass Congress next winter. I would suggest that every man here shall write a letter to the two Senators of his State, and every woman present shall persuade some voter to do the same, urging them to vote for this measure, only second in importance to the establishment of the Hague Court.

Then will come later something that has not yet been mentioned; that is, the substitution for national armies of an international armed force. This force would bear a genuine analogy to the police; for I would like to say to the last speaker that our present national armies have no analogy whatever to the police. The function of the police, so far as treatment of criminals is concerned, is simply to bring them to court with the employment of a minimum of force. Often the accused yields without any opposition. Even if the policeman cudgels

him, it is not to punish him for his crime, but merely to get him to court. In court he has witnesses and an advocate; and if condemned, it is only after twelve disinterested jurymen and a disinterested judge have condemned him, according to laws made by a disinterested legislature. It is a common fallacy to speak of the army and navy as "national police." Their function is totally different from that of police, so far as the treatment of criminal conduct, disorder or aggression is concerned. They have no dealings with witnesses or courts; they strive, not for impartial justice, but for victory. The army and navy to-day correspond with the duelists of two hundred years ago, only they are not quite so fair. [Applause.] When two duelists fought, each knew he had an opponent who had offended him and was his enemy; but those poor Japanese and Russians who, coming from places four thousand miles apart, are now blowing each other to pieces there upon the Yalu — what quarrel have those poor peasants with each other? None whatever. Their masters have fallen out, and they must pay the penalty with their life-blood. Let no one say that this awful sacrifice of human life is in performance of "police" functions.

Until human nature is a very different thing, we shall need police for cities, and we shall need militia to police the states. Firing on lynchers or rioters is not in the same category as international war. It is of the nature of police force, and is done to compel the aggrieved to take their grievances to court. Civil war may long remain a possibility. The Hague Court cannot touch that. But gigantic duels between nations will end long before aggression and cruelty cease, before we can do without police or militia, or before civil war becomes an impossibility. One great help towards it will be to clarify the public mind in regard to the nature of different kinds of force, and to show that we need not wait until the millennium comes and men's hearts are changed, or until this century is finished, before the world is organized, and disarmament, already begun between Chile and Argentina, shall become the policy of all the nations. A substitute for war being established, and the nations pledged to use it, national armies and navies will be replaced by a force which shall really correspond to the police; namely, a small international army and navy to compel national antagonists to come to court. [Applause.]

The Conference adjourned till 8 P. M.

Second Session.

Wednesday Evening, June 1, 1904.

The Conference was called to order at 8 o'clock by the President, who announced that the Secretary had a communication to make before the regular order of proceedings was taken up.

MR. WOODRUFF: I know we were all pleased with the greeting we received this morning from Mrs. Smiley in her message to the Conference, and Mrs. Mead, with her usual thoughtfulness, has prepared the following minute, which I will read. It was thought at first that it should be sent as a greeting from the ladies of the Conference only, but those who read it thought it best that it should go from the whole Conference.

"The members of the Mohonk Arbitration Conference wish to express their warm appreciation of the greeting which they have received from Mrs. Smiley, and their regret that she cannot be present personally at the Conference.

"In the gratitude which they feel to Mr. Smiley and herself for their high and generous devotion to the cause of the world's peace, which has made these Conferences possible, and given them such noteworthy influence, they can never forget her own special service in giving to them an atmosphere of such rare hospitality and charm. They send their greeting to her, as she sends hers to them, and they rejoice that she is with them in spirit in the Conference at this time."

The proposed message to Mrs. Smiley was received with applause, and it was unanimously agreed to forward it in the name of the Conference.

The proceedings of the evening consisted of a paper by the Hon. W. L. Penfield, Solicitor of the State Department at Washington, on "The Venezuelan Arbitration and Award"; an address by the Hon. J. H. Ralston, on "The Work of the Venezuelan Claims Commissions"; a paper by the Hon. Charles M. Pepper, on "The Influence of the Pan-American Railway upon Arbitration"; an address by Rev. Lyman Abbott, D.D., on "The Work of the Individual in Promoting Arbitration"; an address by Rabbi Charles Fleischer on the general subject; and short speeches by the Hon. Jacob F. Miller and the Hon. Robert D. Benedict.

THE PRESIDENT: The first speaker is one who has a more than ordinary message to bear to this Conference, for he is one who has practised his profession before the great Hague Tribunal, and has presented an international cause to that tribunal, and knows something of what it is and what its practical workings are. I have the

pleasure of presenting to you the HON. WILLIAM L. PENFIELD, Solicitor to the State Department at Washington.

THE VENEZUELAN ARBITRATION AND AWARD.

ADDRESS OF HON. W. L. PENFIELD.

Mr. Chairman, Ladies and Gentlemen: Last spring, when Mr. Smiley did me the honor of extending an invitation to address you on the subject of the Venezuelan Arbitration and Award, I did not realize how difficult it would be for me to speak on that subject. I have too great regard for any judicial tribunal, and especially too great a regard for the Hague Tribunal, to offer any criticism, even if I thought it. I found that by the severe limitations under which I should speak, what I said would be principally of a negative or interrogative character, and that it would be quite prudent to confine my utterance to the written page.

On December 20, 1902, Great Britain, Germany and Italy declared a blockade of the ports of Venezuela in order to enforce the settlement of certain diplomatic claims. Seven other states, France, Spain, The Netherlands, Sweden and Norway, Mexico, Belgium and the United States, held claims against Venezuela which they were more or less actively prosecuting through the diplomatic channel.

On January 23, 1903, the plenipotentiary of Venezuela, Mr. Herbert W. Bowen, proposed to the British Ambassador "that all claims against Venezuela should be paid out of the customs receipts of the two ports of La Guaira and Puerto Cabello, the percentage to be thirty per cent. each month." On January 26 Lord Lansdowne inquired whether it was proposed "that the thirty per cent. should be paid to the blockading powers only, or are the whole of the creditor powers also to share the benefit." He took the position that the claims of the blockading powers should not rank on the same line with other claims for compensation. On January 27 the plenipotentiary for Venezuela agreed "that Venezuela will pay thirty per cent. of the total income of the ports of La Guaira and Puerto Cabello to the nations who have claims against her; that the said thirty per cent. will be given exclusively to meet the claims mentioned in the recent *ultimatums* of the allied powers and the unsettled claims of other nations that existed when the said *ultimatums* were presented." On January 28 Lord Lansdowne declared that "His Majesty's government cannot admit that pledges given by Mr. Bowen to the powers which are not engaged in the blockade are binding on this country, and His Majesty's government cannot accept a settlement which would force them to place their claims on the same footing with those of the non-blockading powers." Venezuela declined to acquiesce in this view, and the other creditor powers sustained her.

The issue thus raised was referred by the differing states to the

determination of the Hague Tribunal. The protocols provided that three arbitrators should be named by the Emperor of Russia; that the Tribunal should meet on September 1, 1903, and render its decision within six months thereafter. The protocols authorized the Tribunal to decide whether or not the blockading powers were entitled to separate or preferential treatment, and how the revenues assigned should be apportioned among the creditor states.

The Emperor named Mr. Mouravieff, the Russian Minister of Justice, as one of the arbitrators. He also named Dr. Henning Matzen of Denmark and Mr. Lardy of Switzerland. The two latter appeared to be disqualified under the protocols by the fact that their governments, although not parties to the controversy, were creditor states of Venezuela. Accordingly, on the first day of September, only Mr. Mouravieff appeared at The Hague. An adjournment was informally taken, and on October 1 the Tribunal, as finally constituted, met and organized, with Mr. Mouravieff as president, assisted by two other duly appointed arbitrators, Professor Lammasch, member of the Austrian House of Lords, and Mr. De Martens, Privy Councillor to the Emperor of Russia. The Tribunal continued in session until October 5, hearing discussions on matters of procedure and the opening argument by Mr. MacVeagh. It then took a recess until November 4, in order that the arbitrators might read the briefs and documents submitted by the parties. The Tribunal then resumed its sittings, when the debates were continued, the counsel speaking in the English alphabetical order of states. The debates were, under the decision of the Tribunal, conducted in English and French by the representatives of all the arbitrating states. The oral arguments occupied twelve days in all, and covered a wide range of reasoning and illustration. On November 13 the hearings were formally closed, and the case was taken under advisement.

The decisive facts of the case were short and uncontroverted. There were two orders of creditor states, one of whom had used only pacific methods, whilst the other had used force, to obtain the settlement of their respective claims. The latter had procured an agreement from Venezuela to assign certain revenues for the payment of their claims, and Venezuela had made the assignment expressly to secure the payment of all claims of all the creditor states. The allies had already obtained valuable preferential treatment, by the payments to Great Britain and Italy each in the sum of \$25,000, and to Germany in the sum of \$400,000.

The case was one of first impression, and its decision rested largely in the discretion of the Tribunal. It was a case to call forth the powers of a constructive lawgiver. There was the inspiring occasion; there was the rare opportunity to announce principles and to establish a precedent of incalculable usefulness on the cause of international peace. A fitting tribute had been paid to His Imperial Majesty, the Emperor of Russia, as the author of the Hague Tribunal, by the unanimous request of the eleven arbitrating states that he should graciously name the arbitrators. What moment could

seem more auspicious, or what greater opportunity could be given to advance the cause of peace by an award affecting all the great powers of the world represented before or on the Tribunal, and which would be brought home to the firesides of 300,000,000 of people?

The protocols between Venezuela and the blockading powers were signed on February 13, 1903. The following day the blockade was raised, peace was restored, and the peace of the world remained unbroken until the rupture of diplomatic relations between Japan and Russia on February 6, 1904. Sixteen days after that event the award was rendered.

Before the declaration of war by the allies against Venezuela, Germany had proposed arbitration to Venezuela, which the latter had refused. Great Britain had done likewise in her ultimatum to Venezuela, which the latter had not accepted. The blockade was ordered on December 11, but two days afterwards Venezuela offered to submit the controversy to arbitration. This offer was ignored, and seven days afterward the blockade was declared.

When a recalcitrant state offers to submit its controversy to arbitration, is the adversary justified in the prosecution of the warlike measures which have been clearly foreshadowed but not put into execution? That was a question for the consideration of the Tribunal. Fair-minded men may differ in opinion on that question, but the sincere friends of international arbitration will deplore either the institution or the prosecution of a war which at any of its stages may be averted or ended, and the controversy composed by its reference to arbitration. Controversies over pecuniary claims should be adjusted either by friendly negotiation or by the judicial process; and may we not hope that henceforward force will be employed only when it becomes necessary to compel a recalcitrant state to submit to impartial arbitration? If the defendant state is adjudged to be in the wrong, the Tribunal may be authorized to find the fact, that an impartial arbitration had been offered and refused, and the losing state be adjudged to pay the costs occasioned by its wrongful action.

The award was rendered on February 22, 1904. The express grounds on which it was predicated were, in brief, that the Tribunal was not called on to decide whether the blockading powers had exhausted all pacific means in order to prevent the use of force; that the protocols had submitted to arbitration the question of the distribution of the customs revenues of the ports of La Guaira and Puerto Cabello; that the warlike operations of the blockading powers had ceased before they had received satisfaction of all their claims, and that by submitting to arbitration they had not intended to renounce their acquired rights or their privileged position; that the justice of the claims of the peace powers had not been recognized in principle, and that they had not protested against the pretension of the blockading powers for preferential treatment who had insisted on guarantees from Venezuela for a sufficient and punctual discharge of their obligations. The award gave to the blockading powers preferential treatment in the payment of their claims out of the thirty per cent.

which Venezuela had set aside from the revenues of the two ports of La Guaira and Puerto Cabello.

The opinion appears to imply the superior equity of the claims of the blockading powers, because their justice had been formally recognized by Venezuela, while, on the other hand, the peace powers had agreed to submit to judicial decision the question of the validity of their claims. In the former case the recognition of their justice resulted from coercion; in the latter case, the creditor states sought simple judicial justice, as it might appear to an impartial tribunal upon full hearing of both sides of the case. In the former case a fine of \$25,000 was paid to the Italian government to satisfy the point of honor. Of the British claims, the sum of \$25,000, and of the German claims, the sum of \$400,000, was paid without judicial hearing. The counsel for the United States contended that if a distinction was to be taken it could not be prejudicial to the equities of those states who had observed the spirit that informs the Hague Convention. This view was enforced by the submission of tables showing from experience of Mixed Claims Commissions that the total of awards rendered averages less than ten per cent of the amounts claimed. That experience has been confirmed by the awards of the Mixed Claims Commissions in the Venezuelan case.

We can never know all the workings of the judicial mind, but, weighing the express considerations on which the award was based, we can imagine that the Tribunal considered that Venezuela had merited the punishment visited on her by the blockading powers; that an award in their favor would have a beneficial effect on debtor states; that the example would not be complete without adjudging to the allies the prior payment of their claims; that this would not work injustice to the other creditor states, who might exact and enforce, if necessary, an equally prompt payment of their claims out of the other revenues of Venezuela. The language of the opinion, couched in delicate terms, might, I believe, bear this construction, or we can imagine that a patriotic arbitrator in such a case might reflect that after the close of the Turco-Russian war the victor was deprived by neutral powers of acquired rights and a privileged position gained by war, and that the precedent set by the Tribunal might be invoked against a recurrence of such a miscarriage in the future. We may imagine that the arbitrator might reflect that the war of the Revolution established the independence of the American colonies, and that the award of the arbitrators in the settlement of such a case should not deprive the victor of his acquired rights and privileged position. But even in such a case, if the final settlement had been wholly or in some part submitted to arbitration, would it follow that all the demands of the victor ought to be sanctioned and upheld by the Tribunal, when their equity in whole or in part was the very question submitted for decision?

Was the award just, as between the parties? Was it just, not merely in the narrow, rigid sense of that term, but as tested by the high and comprehensive principles that should govern the decision

of international controversies? What will be its force and value as a precedent to instruct creditor states in their conduct towards a common debtor? Will it make for the principle of equality or inequality among the creditor states? Will it make for peace or war, for the settlement of controversies by force rather than by resort to the arbitral process?

The time has not yet come when these questions can be safely and surely answered. If the principle of equality among creditor states, which was urged by the United States to the Hague Tribunal, is to prevail, no international differences can arise between creditor states in the adjustment of their claims against a common debtor. But if a declaration of war is to give priority, the question deeply concerns the United States, by reason of the rapid extension of its foreign commerce and investments. Would the government of the United States willingly acquiesce in the application of the precedent to future cases? Would it agree that a successful war waged by a European state against an American state should postpone the just claims and pretensions of the United States to those of the victor?

The force and value of the award as a precedent cannot yet be justly measured. If it appears to offer a premium on war by upholding all the pretensions of the victorious state which resorts to arms, its injurious effects will be limited by other and later decisions of the Tribunal, and by the action of public opinion. But war is a fact, and as such it had to be reckoned with by the Tribunal in reaching its determination. They undoubtedly sought to render, and perhaps did render, a wise and just judgment. But whether they erred or not, nothing occurred during the course of the trial to weaken our faith in the cause.

We may justly take pride in the attitude of the United States government towards the Hague Tribunal. The President and the Secretary of State first called it into action. Through their influence and counsels the Venezuelan controversy there found a final solution. This was a triumph for the diplomacy of the American democracy. And glad are we of the opportunity of being able to set the example of a complete, a respectful submission to an adverse decision. This was the one thing lacking to the full proof of our unshakable faith in the Hague Tribunal.

In the argument of the Venezuelan case, the counsel for the United States expressed regret that of the American states only the United States and Mexico had been invited to attend the Hague Conference. At the present moment, with the sanction of the Russian government and the approval of the United States, negotiations are going forward, looking to the adhesion to the Hague Convention of all the other states of the New World. We shall then have an Arbitration Tribunal of all nations.

We are reminded by the calamitous events occurring in the Orient that war is a bad habit not easily broken, and is in some cases perhaps inevitable; yet in the light of the progress made during the last year the Hague Tribunal stands stronger to-day than yesterday,

higher in the estimation of the world and greater in its promised usefulness. It is destined to attract all the civilized nations as suitors to its bar, to assert more and more its character of pacificator, and to advance the cause it represents through the influence of its opinions and the power of its judgments.

THE PRESIDENT: The Chair now has the pleasure of introducing to the Conference MR. J. H. RALSTON of Washington, a lawyer of reputation, who has had experience in international arbitration, and in the same line with the gentleman who has just delivered his most interesting address.

THE WORK OF THE VENEZUELA CLAIMS COMMISSIONS.

ADDRESS OF HON. J. H. RALSTON.

Mr. Chairman, Ladies and Gentlemen: Judge Penfield has spoken to you of the very important proceedings at The Hague, but in a certain practical way their importance depended upon whether after all there were any claims existing. That question was not determined at The Hague, but *was* determined, for the most part at least, in the city of Caracas. For you will bear in mind that about the same time with the signing of the protocols referring the question of preferential treatment to The Hague, there were likewise signed protocols with ten of the leading powers of the earth providing for the appointment of mixed Commissions to determine the amount of claims existing against Venezuela on the part of the citizens of the respective countries. These Commissions were formed on one general model, very common up to this time. There were on each Commission a representative of the debtor nation, Venezuela, a representative of the creditor nation, whichever it might be, and an umpire chosen from some indifferent nation. The United States happened to be called upon to select the three umpires who were to decide the questions presented by the blockading nations and also by Holland. General Duffield of Detroit was named by this government as the umpire for the German Commission; the Hon. Frank Plumley of Vermont was the umpire for the English and the Netherlands Commission; and it has been my fortune to preside over the Italian Commission.

It may be worth while to refer to some of the most important questions discussed in Venezuela and some of the results attained.

The first question which arose was, How much interest should be charged upon awards against Venezuela, at least awards upon contractual claims, and when should that interest commence? Some of the nations asked for five and some for six per cent., and some were content that the interest should commence to run from the date of the presentation of the claims either to the government or the Commission, while others demanded interest from the date of the acts complained of.

Upon this question all of the American umpires and Mr. Bainbridge, the American Commissioner of the American Commission, were agreed, and the rule adopted was to charge upon awards the legal rate of interest in Venezuela in the absence of other stipulation. This legal rate of interest in Venezuela was three per cent. per annum. The rule was also adopted to commence the reckoning of interest from the time of the presentation of the claim either to the government or to the Commission, whichever might be first.

The next troublesome question which came before us was one upon which there was a great diversity of opinion, and that was as to whether Venezuela should be held responsible for damages inflicted by unsuccessful revolutionists. There is a natural and universally recognized responsibility on the part of the government for the acts of successful revolutionists, who in fact become the government, but the rule is not so well established upon the other point. The rule which it was considered by all of the American umpires was based upon reason and justified by argument and experience was that Venezuela should not be held responsible for the acts of unsuccessful revolutionists. One reason for holding the government responsible for the acts of officials is that they act as government agents, and unsuccessful revolutionists cannot be considered as government agents, but they are to be deemed to have escaped for the time being from the control of the government. Upon this proposition all the American umpires were united, except that one of them considered that by the terms of the protocol Venezuela was responsible within a certain period of time for the acts of unsuccessful revolutionists. On the other hand, several of the European umpires held Venezuela to full responsibility, and the Mexican umpire of the Spanish Commission held the same view.

Other important questions came up fast. There was the question of prescription — whether claims could be considered as prescribed practically by lapse of time. National laws could not be regarded upon the point. Several of the Commissions, the American and the Italian among them, considered that when in a long lapse of time, perhaps thirty years, the claims presented had not gone to the government, they should be regarded as having failed because of *laches*. Slight circumstances were considered, however, as doing away with the effect of this rule.

The Italian and the English Commissions followed a rule which tends to lighten the atrocities of war. Without other apparent reason than a desire for revenge, certain government gunboats had bombarded the town of Ciudad Bolivar without the ability to render it effective by any supporting land force, and it was the opinion of those two Commissions that the Venezuelan officers had transcended the limits of their war powers, and so rendered the government liable. The advantage of these decisions is, I think, that they tend to alleviate the horrors of war, making governments responsible for wanton and useless aggression even in time of war.

Other important questions presented themselves. In Venezuela it

has been the habit, apparently, upon what would seem to us slight provocation, to expel foreigners whom the government did not exactly approve of, and this power has been exercised freely. In at least three Commissions judgments were rendered against Venezuela for considerable amounts for what were regarded as uncalled for expulsions. I trust that the decisions so given may have some effect toward the breaking up of the practice.

A very interesting question presented itself to the Commissions, perhaps for the first time before any international tribunal, and in this manner: Duties and taxes had been collected within certain areas by the revolutionary governments when the revolutionary governments were for the time being the *de facto* governments of those neighborhoods. Later, when the government forces triumphed, the government treated the payment of taxes and duties so made as a nullity. The position was taken in the Italian Commission and others that the government could not exact a double payment of such taxes, and therefore judgment was given against Venezuela for the amount so collected by her. The decision so given was in direct line with American authority, and as we thought sustained by the most perfect reason. The decision upon that question had for the time being at least an important and I think a beneficial effect in Venezuela.

Other questions arose concerning citizenship or nationality, and in all cases of what we may term double citizenship, that is to say, where the laws of Italy or of England claimed a man to be a citizen of that country, and the laws of Venezuela also claimed his citizenship, the laws of Venezuela were taken to rule. These rulings upon citizenship were of large practical importance, resulting in one case in the Italian Commission in the exclusion of a claim of about three million dollars.

A point always of interest has been touched upon by Judge Penfield, and that is, that of percentages. It is always of interest, because by that test we form some idea as to whether the claims made in the first instance by nations whose payment is insisted upon in gross are likely to be proper and correct demands.

With regard to percentage, the history of the Commissions in Caracas has been peculiar. Perhaps the United States up to this time has received a smaller percentage of award in its favor than has any other nation, the percentage not exceeding five per cent. On the other hand, the percentages of the awards in favor of Belgium and England have been particularly large, in the case of Belgium, perhaps, because she presented but three claims, and one of those claims was for nearly the entire amount of all, the other two being of very minor importance, and the large claim being allowed in its entirety. In the case of England the awards were large because England apparently pursued a settled policy at Caracas of not submitting any claim the legality of which she believed to be in any degree questionable. On the other hand, the United States and France and Italy, and perhaps other nations, adopted the plan of

clearing the slate entirely of all possible claims against Venezuela, good, bad or indifferent, with the result that the percentage of award in the case of the United States has, as I have said, been exceedingly small. It was the same in the case of France, and it is very evident now that it will be the same in the case of Italy.

A word, perhaps, might be added, relative to the personnel, at least relative to a part of the personnel, of the Commissions sitting at Caracas. I must do Venezuela the justice to say that all of us who were brought in contact with her representatives were pleased with them. Venezuela was represented by lawyers of ability and standing, and who would be so recognized, I venture to say, in any part of the world. She sought evidently to make, so far as the Commissions sitting there were concerned, in this respect the very best possible impression, and she certainly succeeded.

A final question arises with regard to these claims, and that is, Will Venezuela pay? Because we may infer from some newspaper publications that doubt exists upon this point.

It is to be said in this regard that perhaps only in the case of two claims finally decided against Venezuela has there been earnest and strenuous protest on the part of the Venezuelan government. One was a claim known as the Belgian Waterworks, in which an award of about two million dollars was made, and the other was the claim of Mexico against Venezuela. I do not believe that there will ever be any trouble so far as the Mexican award is concerned, but there seem to be indications of an intention on the part of Venezuela to contest further the Belgian Waterworks claim, although in what manner it may be contested is not clear at the present moment.

With regard to the other claims, I have no doubt personally of their ultimate payment; that is to say, within a comparatively reasonable time as time of payment of international awards is measured.

To the payment of these awards has been set aside thirty per cent. of the revenues of Puerto Cabello and La Guayra, and this thirty per cent. aggregates between eight hundred thousand and a million dollars per year. And inasmuch as the total awards against Venezuela will not exceed between seven and eight million dollars, in all probability we may expect the payment of all of the Venezuelan awards within a period of ten years.

I think, Mr. President and Ladies and Gentlemen, we may congratulate ourselves upon the fact that, largely through the interposition and the excellent advice of Mr. Bowen, fortified and strengthened and encouraged by the State Department of the United States, a peaceful and in every way satisfactory outcome will be the result of all of the recent Venezuelan arbitrations. [Applause.]

THE PRESIDENT: The Chair has the pleasure of introducing to the Conference MR. CHARLES M. PEPPER of Washington, who was one of the members of the Pan-American Congress, which had its sessions in Mexico some two or three years ago. From him we

shall have some account of the Pan-American Railway project, with which he has had much to do.

INFLUENCE OF THE PAN-AMERICAN RAILWAY ON ARBITRATION.

ADDRESS OF CHARLES M. PEPPER, SPECIAL COMMISSIONER.

Mr. Chairman, Ladies and Gentlemen: In telling about the Pan-American Railway project and its possible influence on arbitration, let me first state what the plan is, what the hopes are, and even what are the limitations.

It is an old idea, this notion of linking together all the Americas by an iron and steel highway. So long as the subject was merely dreamed about, it did not come within the scope of enlisting the energies of practical men. But when the first Pan-American Conference held in Washington fourteen years ago took it up and passed resolutions, the enterprise became a little more tangible. Perhaps like many other worthy objects concerning which resolutions are passed or recommendations made in international assemblies, it would have been forgotten or regarded only as a remote aspiration if more substantial measures had not been taken by some of the hard-headed men who were delegates to that Conference. They provided for an intercontinental survey, and they had influence enough with the Congress of the United States to get a fairly liberal appropriation, which was supplemented by other countries.

The survey was made, and when the second Pan-American Conference came to meet in Mexico something over two years ago, the full results of this engineering reconnaissance were available. Moreover, they were encouraging. Ex-Senator Henry G. Davis, a believer in the project and its persistent advocate, in the light of his experience as a railway builder, said they should be followed up. When our woes were thickest over the arbitration controversies at the Mexican Conference, he had told us to look to practical measures to find the way out. So the second conference established a permanent committee on the subject. Mr. Carnegie, who believes in universal peace, accepted a place on the committee along with Mr. Davis, the Ambassador from Mexico, and the Ministers from Peru and Guatemala, respectively. This committee keeps in touch with the different governments and seeks to give publicity to what they are doing. Its plans are purely practical, but their fruition will have both a sentimental and an actual value for arbitration.

A further word in explanation. While it would be a magnificent enterprise for the United States to enter into treaties with the various republics of Central and South America and build this great trunk line, and while there is a precedent in the convention between the Argentine Republic and Bolivia, we all knew that this would not be done. Knowing what was not feasible, the next best thing was to

secure such coöperation as was possible. This was obtained by the authority granted by Congress for the appointment of a Special Commissioner to carry out the resolution of the Conference and by the very hearty and sympathetic support extended by President Roosevelt's Administration through the State Department under Secretary Hay's direction. In this manner it came to me to spend a year in travel in the various countries and in conferring with the governments. The official report* gives the results of the mission in the form which we thought most likely to appeal to capitalists.

Since the three Americas are not likely to be joined by a railroad constructed by a single government, or by a single private company, the next best plan was to see what the different governments were doing and would do to promote within their own limits the general scheme of this North and South trunk line. This really was the most important part of the Special Commissioner's mission; that is, to secure the adoption of a uniform policy so that the enterprise as a whole could be carried forward. The results along this line of endeavor have been gratifyingly successful. Legislation has been enacted by several of the Republics with this purpose in view, and the passage of future laws is assured.

I should say, further, that while the value of railway intercourse among different countries as a means of promoting and maintaining peace is recognized, they have not been urged to encourage railroad construction solely or even chiefly on this basis. Primarily it has been on the ground that their own material interests call for a uniform policy, and that the development of their internal resources and the growth of their commerce are reasons why they should coöperate.

Now I take it that the motive in any enterprise, however grossly material it may be, is praiseworthy when substantial results of a sentimental character follow. That is why the commercial basis and the expectation of legitimate utility are urged rather than the abstract principles of peace.

I take it also that there is no dissent from the proposition that better acquaintance among different peoples often removes the misunderstandings and friction which sometimes result in war. It even has happened in South America that railroads built for supposed reasons of national defense or for strategic purposes have been the best means of securing peaceful settlement of disputes. Besides, they have helped to bind together the loosely connected sections of a country. You are familiar with the tendency of the Latin American countries to chip off from the parent stock and set up independent establishments of their own. The railway lines have made Mexico the compact and progressive nation that it is to-day. They have made of the old loosely-jointed Argentine Confederation a new and genuine Argentine Republic. In one of the Central American republics the revolutions came with the recurrence of the seasons. It always was one end of the country against the other end. Finally, they managed to patch up their differences long enough to build a

* This Report, covering 75 pages, is Senate Document No. 206, 58th Congress, 2d Session.

little railroad which brought the two warring sections into communication. Then the people found their troubles had been that they did not know one another. Since they have got acquainted the two sections have quit inciting revolutions against each other.

Thus domestic quiet, which is the yawning void in so many of the Latin American Republics, is promoted and the basis laid for international peace. It is not true of these countries, whatever may be said of others, that they keep the peace at home only to make war abroad. There is less friction among these various Republics during the periods of internal tranquillity than in the intervals of turmoil and revolution. So the railway, whether it is local or intercontinental, helps.

Without entering into a discussion of delicate diplomatic questions, I may refer to the controversies of the various Spanish American nations. Most of these relate to boundaries and are the inheritance of the Spanish and Portugese colonial epochs. These undetermined limits have been the chief cause of the wars or the threats of wars which have proved so unsettling. They have been the constant discouragement to capital in spite of liberal concessions and franchises. You are kept informed from year to year of the progress of arbitration in securing the peaceful settlement of these matters. Without cataloguing them, I venture to state that within the last ten years more disputes have been settled in Central and South America by arbitration and diplomatic negotiation than in any other part of the world. Existing railways have been a potential force in removing international distrust and the plans for future railways have been equally potential.

Until a very recent period the geographical isolation of many of the countries was to their own liking. Some of them for misguided reasons of state policy actually discouraged enterprises which would bring them to the borders of their neighbors. They did not want closer acquaintanceship. This feeling of distrust and unfriendliness has been swept away. It would take too long to explain the causes. The outcome is satisfying enough. Yet I might state that every dollar that has gone into railroads in South America has made for peace and every dollar in the future will make for peace. You are doubtless aware that the five hundred million dollars of English capital invested in the Argentine railways and the very large sum of German and English money in Chile were the means of preventing the clash of arms between those two nations three years ago. Instead of going to war, they settled their boundary dispute by arbitration and then went ahead with railway enterprises which make it sure that if future questions arise these also will be arbitrated.

I might digress here a moment to sermonize a little for the benefit of the doubters; that is, those who lack faith in the Pan-American Railway project both on the business side and in the garb of a promoter of international peace. The men who first had visions of an all-Americas railway were bold dreamers. Some of them were audacious enough to imagine linking Hudson Bay with Patagonia and the

Straits of Magellan. Of course they were laughed at, especially as to Patagonia. Well, my impression is that the rails are pretty near to Hudson Bay, and a few months ago while in Buenos Ayres I was shown the engineering surveys for railway lines in Patagonia and told of the plans to join them with existing systems. That is away towards the South, and in the meantime the Argentine Republic is prolonging its northern lines into Bolivia along the Pan-American route.

When the Chile-Argentine boundary was settled the causes which for many years had made the Andes the political as well as the natural wall between the two nations seemed to lose their reason for being. There was an immediate awakening of enterprises of a material nature, and it was prophesied that at last the great railway tunnel would be built. I was in Santiago when the hopefulness was greatest. Then came a period of uncertainty and pessimism. In making an official report I was rash enough to credit the Chilean government with good faith and to venture the prediction that the long deferred plans would be carried through. Some comment on my optimism was good-natured, some sour, but most of it was decidedly of a doubting character. These doubts were still being voiced when a few weeks ago the cable brought the news that the contracts for this great Andes tunnel had been let. It may be three years or it may be five years, but I expect in some future visit to the southern end of the hemisphere to take the through train from Buenos Ayres to Valparaiso. When that train is running it will be a daily argument for the two countries to arbitrate whatever differences may arise between them.

Another illustration. In Brazil less than a year ago all of us were oppressed with the seriousness of the dispute with Bolivia over the Acre rubber territory. It looked as though there would be war. The Pan-American railway project bore only indirectly on this matter, but we all hoped for a peaceful settlement, because ultimately when Bolivia has a through trunk system of railroads it also will reach the Amazon by means of the rivers and the branch lines. Talking with one of the negotiators, I asked if, the inducement of peace for its own sake not being sufficient, there was not enough in the commercial and material interests of the two countries to persuade them to spend the money they would need in making war for a different purpose—that of building railroads in the vast region. He thought there was, yet so many obstacles were thrown in the way of the negotiation that he was discouraged. Finally, by forbearance and conciliation on both sides, the controversy was arranged, and chiefly on the basis of railway construction. Now those who had no faith at least have a little more respect for the utility of commercial enterprises as means of promoting peace when the abstract principle does not seem to be sufficiently potent.

Prospective railway buildings helped to secure an agreement by Peru and Ecuador to arbitrate the Napo River boundary dispute a few months ago when it had reached the most threatening stage.

Incidentally to the main subject, I may say that the principle of arbitration between individuals and the state is recognized in most of the contracts which have been made for railway enterprises. It also is recognized, with regard to claims, in the Brazilian-Bolivian treaty, and with reference to future disputes which may arise. In the same way treaties are the basis of the projected building of railway lines by one country in the territory of another. The greatest check on territorial ambition and aggression is secured by means of railway intercourse.

Possibly I have been treating the subject on a lower level than is your custom in these Mohonk meetings, and have given more attention to its material aspects than to the moral side. I would not be understood from this as not in harmony with the higher ideals or as underestimating their value. In many places in South America I found Dr. Hale's noble utterances, translated into Spanish, in circulation and a most sympathetic spirit shown towards them. There is little trouble in securing Latin adherence to abstract principles of arbitration. At the conference in Mexico we found one of our difficulties was a too great eagerness to adhere to the abstractions while some of us were seeking after that which could be brought within the sphere of realization. But this sympathetic spirit has its worth. Its utility among the Latin peoples as a means of propaganda for a principle is greater than with us, since we insist on turning to the ledger first and then assenting to the theory of the railway as an agency for securing and maintaining peace. But travel, trade, immigration, industry, all make for peace and all are secured through railroad development. The greater the interest any Central or South American country has in railways, the greater the inducement to settle its disputes in a friendly way. There is less temptation to aggression and there is more encouragement to arbitration. Precedents are made by one arbitration and the foundation is laid for other arbitrations.

I have been asked to state what in my opinion would be the most useful section of five hundred miles in this broad plan of the intercontinental route; that is, the link which would make most for peace and unity by establishing the intercourse and the commerce that conduce to those results. It is difficult to answer conclusively. In South America probably five hundred miles in Peru from the present terminus of the railroad at Oroya to Cuzco and Sicuani would be the most beneficial because that would make absolutely certain ultimate through rail and water communication between Lima and Buenos Ayres. On this side of the Isthmus five hundred miles of railroad from Guatemala to Panama would have a vastly beneficial effect in unifying the Central American countries. Their geographical isolation causes more misunderstandings among them than any other source of irritation. Three of them at the present time have under consideration a treaty which, as I have been informed, among other provisions includes arbitration. To reach the point of meeting,

which was at Amapala, the Pacific coast port of Honduras, for most of the plenipotentiaries a week's travel was necessary.

A concluding word. At the outset I stated the limitations in the policy of the United States. This country of itself does not expect to build the intercontinental railway, but it is in a position to afford great aid to the various other countries to carry forward the project within their own borders. They are beginning to show their conviction that, while refraining from interference in their affairs, we as a nation desire to promote their peaceful relations and to offer to the world the proofs of their stability. That is the best means of drawing to them the foreign capital they are seeking. One controversy settled by arbitration helps them. A second dispute arranged by the same agency becomes the convincing moral argument. And this is going on now. We have found that the people and the governments in Central America and South America want the intercontinental railway in order to bring them closer to the United States and in more intimate relations with one another. The point has been reached where it is possible to say to them when trouble threatens that if they don't arbitrate it they won't get the railways they want. There you have in essence the influence of the Pan-American Railway project on arbitration.

DR. LYMAN ABBOTT was next introduced, and spoke as follows :

THE WORK OF THE INDIVIDUAL IN PROMOTING ARBITRATION.

ADDRESS OF DR. LYMAN ABBOTT.

Ladies and Gentlemen : Practically, what have we, you and I, to do about it all? We are not railroad builders, and most of us have not got much money to put into stock in these railroads. We are not members of the government, and cannot conduct diplomatic negotiations. We are not professors of international law, and cannot discuss questions before the Hague Court or in South America. We are not members of the Senate, and cannot push the Anglo-American Treaty through. What are we going to do about it?

We can go home and do a little something here and there, possibly, to promote public sentiment in favor of international arbitration. Is that all? I am inclined to think that perhaps many of us will think this is all, will think that this work must be done by a few people, must be left in their hands, and that on them rests the responsibility. And the one thing that I want to say to-night is this: that a nation is made up of individuals, the American nation of some eighty millions of individuals. If the spirit of the eighty millions of individuals is pacific, then the spirit of the nation will be pacific; and if the spirit of the eighty millions is not pacific, then the spirit of the nation will not be pacific; and if the spirit of a part of the eighty millions is

pacific and a part unpacific, then the nation will be partly pacific and partly unpacific. Just as a great river is made up of all the springs and rills that flow into it, so a nation is made up of an innumerable number of little springs and little rills which, flowing together, constitute the great national sentiment. Herbert Spencer says, in his "Autobiography," something like this: "The position of the Peace Society, non-resistance, is untenable; but there is a position which is entirely tenable, and that is, non-aggression." I will not say with Herbert Spencer that the spirit of non-resistance is untenable, for I am not here to discuss to-night debatable questions; but I certainly think we can all agree with Herbert Spencer that the spirit of non-aggression is a position that is tenable.

If in this nation the spirit of pride and passion and persistence in our own individual rights predominates, then the spirit of pride and passion and persistence in our own rights will predominate in the nation. If the boys are taught in the family, directly or indirectly, to stand up for their rights, and to think it a more serious injury to themselves to suffer an injustice than to inflict an injustice; if the fathers are strenuous for their own rights in industrial and commercial relations, and do not mean that any man shall crowd them to the wall; if the mothers are persistent that they shall get the meed of social honor that is due to them, and take quick offense if it be denied; if in the school the military achievements and the military heroisms are applauded and glorified, and the quieter and yet quite as great heroism of pacific employments are ignored; if the heroism of a preacher that dares resist the prejudices of his congregation, the heroism of a merchant that dares face bankruptcy rather than dishonor, the heroism of a journalist who dares to lose subscribers rather than lose truth is slighted, and the heroism that faces the cannon and the bayonet is glorified; if in the industrial circles laborers unite together to make a labor army in order to strike blows in labor wars, and commercial employers unite together in commercial organizations for the purpose of overthrowing the militant organizations of the laborers, so that we have the two armies each determined to get its rights, and each indifferent to the rights of the others; if in the church itself the denominations are rival institutions, each more persistent in maintaining its own denominational doctrines than it is in maintaining the spirit of the Master,—then we shall have the spirit of war from the top to the bottom, from the nursery to the church. And we cannot have that spirit of war throughout the nation in its social fabric, in its school fabric, in its literature, in its industry, and in its religion, and have the nation which is composed of militant individuals dwelling pacifically with other nations not less militant in their spirit.

On the other hand, if in this nation the little children are taught to love peace and to pursue it; if the fathers and the mothers are more eager to avoid aggression than to seek it; if in the school the heroism of private life is glorified and developed; if in society the organizations of labor and of capital are so directed that they clasp

hands in a common partnership for the better carrying on of the work of the nation; if in the realm of what we call religion the churches are eager for each other's welfare, and care first of all for the spirit of the Christ, and not for denominational aggrandizement; and, finally, if every race is trying to do what it can to lift up and help every other race, and every class what it can to promote the welfare of every other class, and every man counts every other man his brother; if throughout this nation the spirit of each individual is to seek peace and to pursue it,—then the nation as a nation will seek peace and pursue it, and then we shall easily find the statesmen who will contrive the ways and the methods by which reason shall take the place of force in the settlement of controversies between nation and nation.

This is, after all, you see, a five-minute sermon to say only this, that you and I are to go back to our homes from this gathering, not merely a little wiser about what has been done by other people in the last year, not merely a little more ready to argue that some one else shall promote peace somewhere else; but you and I shall go back resolved that first of all we will conquer the pride and the passion in our own hearts and lives,—and these are the two great war-makers of the human race,—and, secondly, that we will get from the God of all peace the peace that passeth understanding in our hearts, that wherever we go we may carry with us a benediction that shall make the nation itself a benediction on all the nations of the earth. [Applause.]

RABBI CHARLES FLEISCHER of Boston was the last regular speaker of the evening, and his remarks were as follows:

THE SPIRITUAL ATTITUDE WHICH MAKES FOR PEACE.

ADDRESS OF RABBI FLEISCHER.

Mr. President, Ladies and Gentlemen: Perhaps, among so many speakers who are blessed with gray hair, or with a plentiful lack of hair of any color, I, who am not so blessed, ought to keep silent; perhaps, particularly after Dr. Abbott's eloquent plea, bringing the matter home to each of us, I should have no further word to say.

Yet I recall that it was with the utmost difficulty that I kept my seat this morning. I felt the need of saying something; I felt the need of voicing that protest which I felt against the warlike spirit which seems to exist even in this very peaceful Conference. I began to wonder — for this is my first experience of a Lake Mohonk Conference — I began to wonder whether I was among a crowd of advocates of war or advocates of peace, the sentiments seemed so evenly divided. I have heard, as you have, that story of the Maine farmer who was sending his son out West, and said to him: "Now, John, be honest. Honesty is the best policy. I know, for I have tried both." [Laughter.] It seemed to me that some of us had not

quite become convinced as yet whether peace was worth while even as a policy, to say nothing of its worthwhileness as a principle.

Let me moralize at this point, too, as Dr. Lyman Abbott has made the moralizing treatment of our theme fashionable again. After the very practical preachments to which we have listened, I want still to say that we ought to choose deliberately regarding the peace principle; we ought to declare ourselves plainly for peace or against peace. We must declare — we who are engaged in making propaganda for peace — that opportunism as a policy regarding peace does not mean choice of opportunism as a principle. It may be well enough for one to say, “Under these ‘practical’ conditions it is not possible for us to adhere strictly and absolutely to this or that definite principle.” That is very different from saying that at all times we had better be opportune, we had better calculate our chances, we had better beware of the “insanity” of adhering to any fixed principle, but make choice of opportunism as a principle at all times.

One of the speakers this morning asked us definitely whether we were for peace or against peace, and stated that that was the great question. I agree with him perfectly. I think, as Dr. Lyman Abbott has pointed out to us, it is for each of us to make sure of ourselves, that in our attitude, day in and day out, we are peace men and peace women; that we believe absolutely in peace, and in war only as an almost unthinkable last resort.

We need not come together in a peace conference and assure ourselves and one another that we realize the fact that there is occasional necessity for war. Those who are not committed, as we are or should be, to the idea of peace, will see to it that these wars are often enough waged. It is for us to assert that we do *believe in peace*; to prove in our daily life that we have achieved that spiritual attitude which makes for peace.

Some one asked me once to write a paper on “The Influence of the Pulpit.” I said that I had not very much to say on that subject, because I believed that the influence of the pulpit was mainly reflex. Certainly, so much at least ought to be true of peace advocates, that those who are gathered for, and who stand before this Conference as believers in, peace, as those who mean to make a propaganda for peace in the world, — these ought at least to become convinced of, converted firmly and completely to, their peace ideal.

Now there are a few other practical considerations, in addition to those which Dr. Abbott has pointed out. We are in the habit of indulging in social prejudices of all sorts. I know some estimable people who chance to be Catholics and who cannot approach normally and accept into their fellowship others who are Protestants, and the reverse is equally true. I know many Jews who have insane prejudices towards practically all non-Jews, and then I get constant evidence of non-Jews who have a similar prejudice against Jews. I know many white people who are very estimable in themselves but cannot imagine themselves in respectful association with people of colored skin. I know black people who cannot imagine that any white people really

regard them as brothers. We have practically all of us some one or other of these and similar social prejudices.

These are sad evidence of that unloving attitude to which Dr. Abbott has so eloquently referred, which makes it impossible for us to establish peace relations among ourselves; which makes us partly warlike and partly peaceful, as this or that human concern may chance to be in question; makes it impossible therefore for us to become a people devoted to peace, consecrated to peace, realizing the ideal of peace, first among ourselves, and then quite as matter of course expressing that attitude towards the rest of the world.

This is entirely a question of spiritual achievement. And I dare at this moment to preach because my senior has made it the proper thing at this moment to preach. It is for us to take the lessons of our assumed attitude home to ourselves, to see if we cannot make our intellectual attitude also a spiritual achievement which will make impossible those uglinesses, those exhibitions of hatred, those exhibitions of clannishness and ill-will which most of us express in one way or another. In that way alone is peace possible in the world, — namely, through the self-conversion of every individual in the world to the ideal of peace, which in its last analysis is the ideal of love, of respecting one's fellow man as one loves and respects himself.

I want to make one remark pertinent to the address of Mr. Pepper. It seems to me that this Pan-American railway offers to us Americans an opportunity for getting out of ourselves, away from our narrow and petty self-consciousness, out into a larger consciousness regarding America. It gives us the opportunity for extending the bounds of our "patriotism." Patriotism is too much a thing of the 30th of May and the 4th of July, of gunpowder and war, whether in the past, the present, or the future. We have failed to take hold of all the opportunities for giving positive and large and universal expression to our patriotism. Patriotism is not a virtue that is worth while if it is simply the enlargement of egotism, if my country is simply the bigger "I" whose greatness, whose success in the world, in a manner represents my greatness, my success in the world. Patriotism as a virtue has fine significance only if it is the localized expression of a universal ideal; if it comes from without inward, rather than from within outward, that is to say, if it is the localization here in America, there in France, beyond there in Australia, of a universal expression of love. Here around me are men united to me more closely than the rest of the world, and I shall be especially loving then towards them. Such patriotism I conceive to be a virtue; perhaps even Tolstoy would not balk at that kind of localized love. I can understand why he regards the other kind as a vice — because it is only a tremendously magnified egotism.

Now, a Pan-American enterprise of the almost unthinkable largeness of this Pan-American railway gives us Americans of the United States the opportunity of expressing love and showing helpfulness to

the entire group of our fellow-Americans to the north and to the south of us; it gives us the opportunity to enlarge our patriotic sense, to increase our inclusiveness and our peaceful spiritual brotherhood at least to the extent of allowing only the oceanic boundaries of this double continent—this twin North-and-South-America—to confine so much of the universal love which we may have. That, at any rate, would make our peaceful patriotism larger and lovelier and saner than that more warlike, egotistic brand which is bounded by the oceans, east and west, by the gulf on the south and the lakes on the north. After all, you can set no limit to human love, saying, “Thus far shalt thou go and no farther!” . . .

THE PRESIDENT: There is still a little time left of this evening's session, and if there is any one who has a word to say or a thought to express for five minutes, he will be heard.

HON. JACOB F. MILLER: It has been stated that the United States was disappointed in the result of the Venezuelan arbitration as declared by the tribunal. Unfortunately the facts were not stated. The language in which the submission was made to that tribunal has not been given to us, nor have the reasons which the tribunal assigned for their conclusions been given to us.

There were certain claims made by those respective nations against Venezuela. Three of them had blockaded her ports; the others had made no attempt whatever to collect their claims. Now, what was the result and what should have been expected? I fancy that the tribunal has decided just what they should have decided, and that we really have no cause to blame them for it.

Those three nations had blockaded the ports of Venezuela—it was not a paper blockade, it was a regular blockade; the ships were there; they had taken possession and they were in possession, and at that time the controversy was submitted to the tribunal. They could have gone on and collected their claims in the way that nations usually do. They did not proceed; they simply left it to the tribunal to decide what their rights were, just as in the case of people who have liens and claims against an estate.

That tribunal decided that those nations had acquired a lien, and therefore were entitled to precedence, and that was the ground upon which the award was made. If that be true, I do not see how we have any right to complain.

MR. ROBERT D. BENEDICT: We always have the right in a contest, legal or otherwise, if we are defeated, to complain, although we may accept the decision. Now I had the pleasure of reading the argument of the United States, and I confess that on reading that argument it struck me that the decision of the arbiters went not so much upon the facts of this particular case, as what they came to the conclusion was a general principle which might probably be better for other and future occasions. They took this occasion to lay down what they thought should be a principle applicable to similar

cases. Therefore it seemed to me that Judge Penfield's remark in his address with reference to that, that they had an opportunity to declare that principle in a way which would be more favorable to the principle of arbitration than they did declare it, was entirely well founded.

The Conference adjourned at 10.30 P. M.

Third Session.

Thursday Morning, June 2, 1904.

The proceedings of this session consisted of addresses and remarks by Hon. H. B. F. Macfarland, President of the Commissioners of the District of Columbia; Professor John Bassett Moore, Columbia University, New York; Baron Kentaro Kaneko, Tokio, Japan; Rev. Philip S. Moxom, D. D., Springfield, Mass.; Hon. Simeon E. Baldwin, New Haven, Conn.; Hon. John V. L. Findlay, Baltimore, Md.; John B. Henderson, Jr., Washington, D. C.; Hon. Frederick W. Seward, Montrose-on-Hudson, N. Y.; Edwin D. Mead of Boston; and Prof. C. P. Fagnani of Union Theological Seminary, New York.

The President called the Conference to order at 10 o'clock and introduced HON. HENRY B. F. MACFARLAND, President of the Commissioners of the District of Columbia, to speak on the special subject of arbitration treaties with England and other countries.

TREATIES OF ARBITRATION WITH GREAT BRITAIN AND OTHER COUNTRIES.

ADDRESS OF HON. H. B. F. MACFARLAND.

Mr. President: In view of the fact that this subject has already been traversed by almost every speaker, I might take for my text the words of the great Apostle of Arbitration, "There has been so much said, and on the whole so well said, that I need not further occupy the time." But I know, from my experience last year, at once the inexhaustible patience of the Mohonk Lake Conference and its insatiable desire for speech-making. We come here by common consent for a riot of rhetoric and an orgy of oratory. [Laughter.] I am reminded of a song which I saw in a window of an ice cream saloon in Washington:

"He bought our ice cream for his darling,
And she ate, and ate, and ate,
Till at last her heart she gave him,
To make room for another plate."

[Laughter.]

Mr. F. Hopkinson Smith was telling us at a dinner in Washington not long ago of two Irishmen who met, one of whom said: "I am in great trouble, I have just lost my mother-in-law. It's very hard to lose your mother-in-law." And the other one said, "Yes, Pat; I have found it impossible." [Laughter.]

I think we speakers have found it impossible to tire out the Mohonk Conference, even with oft-repeated arguments and oft-repeated tales. Therefore I shall take for my text a part of the Platform which was adopted last year :

“This Conference believes that the next step in the steady march forward should be the conclusion of a treaty of obligatory arbitration between the United States and Great Britain, to be followed by similar agreements with the other nations signatory to the Hague Convention, to refer disputes to the Hague Tribunal. Such treaties would make the present implied obligations of the nations signing them explicit, binding and permanent, instead of leaving them, as now, under the Hague Convention, voluntary, and to be determined from time to time, and largely by circumstances. This Conference believes that the best public opinion of the United States and Great Britain, neighbors and kinsfolk as they are, recognizes the wisdom and justice of such an arrangement, and that the example thus set would be followed speedily by the other powers. It would lead all the nations to the Hague Tribunal.”

That, as I understand it, is the Mohonk idea. The Conference has never been held for the purpose of announcing universal peace and immediate disarmament of our nation or any other nation. The idealists here are of the strictly practical sort. They are for what can be done to-day, and then for the aspirations of the future. And I for one, as an old-fashioned Presbyterian, do not believe that we shall ever have universal peace until we have a universal change in human nature. I believe that everybody—except perhaps those who are born in Boston—must be born again [laughter], and that there is no prospect of universal peace until some such radical change takes place in human nature, and until the Mighty God, the Everlasting Father, the Prince of Peace, really rules all hearts in this world.

We leave that subject, therefore, to our hope and to the future, and we stand firmly on the ground, even though we cannot help being in clouds of glory here on this Delectable Mountain, and proceed to speak of what we have desired and what is within the immediate reach of our hopes.

As we have already been told, the resolution which we adopted last year has not yet been carried out, but that is not to say that progress has not been made towards the consummation of our wishes. Much has been done of a preparatory character, and we have good reason to hope and to expect that arbitration treaties may be concluded by the United States not only with Great Britain, but with France and with other countries within a year. These treaties may be submitted and ratified in the Senate at the short closing session of the present Congress next winter.

President Roosevelt and Secretary Hay are ready to negotiate such treaties as soon as they believe that the Senate will give them favorable consideration. Some of us know what they have said in private, but what they have said in private is just what they have said in public. Secretary Hay, at the Press Parliament of the World, a most opportune occasion, at the Louisiana Purchase

Exposition on the 19th of May of this year, in closing his admirable and eloquent address, said this :

“In the name of the President, writer, soldier and statesman, eminent in all three professions and in all equally an advocate of justice, peace and goodwill, I bid you a cordial welcome, with the prayer that this meeting of the representatives of the world’s intelligence may be fruitful in advantage to the press of all nations, and may bring us somewhat nearer to the dawn of the day of peace on earth and goodwill among men. Let us remember that we are met to celebrate the transfer of a vast empire from one nation to another without the firing of a shot, without the shedding of one drop of blood. If the press of the world would adopt and pursue the high resolve that war should be no more, the clamor of arms would cease from the rising of the sun to its going down, and we should fancy that at last our ears, no longer stunned by the din of arms, might hear the morning stars singing together and all the sons of God shouting for joy.”

[Applause.]

France may be first with us in this matter. Having signed last fall such treaties with Great Britain, Italy and Spain, she turned last winter first of all nations for similar negotiations to her old ally, the United States. Great Britain, having concluded such a treaty with Spain as well as with France, was ready to negotiate again with the United States, but hesitated because of the failure of the Senate to ratify the treaty of 1897. Other governments intimated a willingness to meet our government half way; but as it was useless to negotiate conventions which could not be promptly ratified, negotiations were deferred until next fall. Nations have their self-respect as they have their pride, and Great Britain, having been snubbed in 1897, was not ready to come forward under the possibility of another snub, and other governments felt just the same way. Our Executive, in my judgment, acted precisely as the Executive should have acted, in deferring the matter until next fall.

If the result of the November election should be unfavorable to the Administration, its recommendations would not be likely to receive favorable attention before Congress adjourned. Therefore, although international arbitration is not in any sense a party question, so that if the President of this Conference should be, as many desire, the next President of the United States [applause], we should be just as sure of success as we are under the present Executive; still, the early success, that is, the success next winter, of the movement for specific arbitration treaties does in a sense depend upon the Presidential election, simply because if there is to be no change of Administration such treaties may be negotiated in November and ratified before the 4th of March, while otherwise, simply because all measures of the outgoing Administration cease to be important, the whole matter may go over for another year.

In the fullness of time the dream of the poet has become the plan of the statesman, and it is a mere question of a short time when it will be carried out in this particular regard.

Now I do not believe that we have lost anything by the delay. If a treaty had been negotiated with Great Britain or with France or with any of the other powers last winter, it would undoubtedly have

been upon the lines, if not in the very language, of the treaty concluded between Great Britain and France signed on the 14th of October, 1903, and that provides simply for this, in the first article: Differences of a judicial order, or relative to the interpretation of existing treaties between the two contracting parties, which may arise and which it may not have been possible to settle by diplomacy, shall be submitted to the Permanent Court of Arbitration established by the Convention of July 29, 1899, at the Hague; on condition, however, that neither the vital interests nor the independence or honor of the two contracting states, nor the interests of any state other than the two contracting states, are involved.

Now, while that is a great step forward, and while it might well have served as a model, because it does accomplish, even with all these exceptions, the one thing for which these treaties are particularly desired, — namely, delay, postponement, the “counting of ten” that we were taught to practice when we were children before we struck with a word or a blow, and which we might well practice now that we are older, — that purpose is secured by any treaty of this sort; yet it is entirely possible that when we do come to conclude specific arbitration treaties with Great Britain and France and the other countries, we may have something better, something such as was recommended by our Washington Conference in January in its resolution, which I hope to submit later to the Business Committee as the basis of consideration for the Platform of this Conference.

That Conference resolved that it is recommended to our government to endeavor to enter into a treaty with Great Britain to submit to arbitration by the Permanent Court at The Hague, or, in default of such submission, by some tribunal specially constituted for the case, all difficulties which they may fail to adjust by diplomatic negotiations: “Resolved, that the two governments should agree not to resort in any case to hostile measures of any description till the effort has been made to settle any matter in dispute by submitting the same either to the Permanent Court at The Hague or to a commission composed of an equal number of persons from each country, etc. And, further, that our government should enter into treaties to the same effect as soon as practicable with other powers.”

You will observe that that contemplates practically, although with extension, the plan of the Treaty of 1897 with Great Britain concluded by Secretary Olney under the direction of President Cleveland, which failed in the Senate for the lack of four votes of the necessary two-thirds. That treaty is sometimes referred to as having provided for the settlement of all differences with Great Britain by arbitration, and that is what the first article said, subject, however, to the limitations of this treaty, and, as you are aware, the limitations excluded territorial claims from arbitration and referred them to what we call a Conciliation Commission, such as happily settled the Alaska Boundary dispute.

The hope, I think, of the members of the Washington Conference was that the treaties which our government should negotiate should

be on a larger scale than the Anglo-French Treaty and the others which have been based upon it. Therefore the delay is not without its advantage.

Moreover, it was entirely undesirable, as it seemed to those who were active in the effort to interest the Senate in the matter last winter, that it should be brought before the Senate at that time. Congress was to adjourn early under the desire of Senators and Representatives to get away, the Presidential campaign was coming on, and it was undesirable from the practical point of view to raise any new issue or to bring forward any question which might raise a new issue. Besides all this, there was a feeling in the Senate, as was discovered by interviews with its members, of disappointment on account of the judgment of the Hague Tribunal in the Venezuelan case, and there were other circumstances which made it obvious that it was not opportune to bring forward the matter. At the same time, there were indications that it might well be brought forward at the coming session of Congress.

The Senate is properly conservative; it was created by the Constitution for that purpose. As George Washington said, it was in respect of the House and ordinary legislation to be the saucer into which the hot tea should be poured for cooling.

Moreover, there are a number of members of the Senate who have not yet come even to the Mohonk Lake Conference plane on this question. They do look upon it in many cases as academic. They look upon it, especially some Western Senators, as a question not yet decided in the forum of public opinion. They still need to be convinced that the people, or the intelligent people, of the country want this thing. There is still room for a great deal of missionary effort, not, as one Senator said, that the sentiment in favor of it is manufactured, but that the sentiment that we know exists should be brought to their attention.

You must take into account in dealing with the Senate the fact that a large majority of the ninety members of the Senate were not born even in New England, much less in Boston, and that they look upon many things that come from there as very fine, but not very practical.

However, it was very clear that the Senators were all open-minded, and that many of them had advanced very considerably from the time of the defeat of the Treaty of 1897. One of the most important of the Senators has completely changed his position, and he has had great influence upon the others. Therefore there is a very good state of affairs in respect of the sentiment in the Senate.

The fact that the Senate Committee on Foreign Relations, the chairman of which, Mr. Cullom of Illinois, is heartily in favor of these specific treaties of arbitration, appointed a subcommittee on this subject, consisting of Mr. Frye of Maine, President *pro tem.* of the Senate, Mr. Fairbanks of Indiana and Mr. Morgan of Alabama, and that almost immediately afterwards both Mr. Frye and Mr. Fairbanks came out in authorized interviews commending in the strongest possible way this project, is very encouraging. We do not understand

that the subcommittee have taken any steps towards this purpose, but we do understand that they are ready to act when the time comes. And the very fact that such strong men on that committee which will have to deal with this subject feel that the time is at hand when action should be taken is in itself very encouraging.

At the same time, it will not do to rest for a moment in the confidence that because we here and many others elsewhere resolve that this shall be done it is going to be done without further effort. It is very desirable that after the election in November public meetings should be held, not so much in Boston and New York as in Chicago, St. Louis, San Francisco, New Orleans and other cities of the West and South, so that this may be seen to be what we believe it to be, a national desire, a desire of the whole people. Nothing, I think, was more encouraging at the Washington Conference than the address of Mr. Samuel Gompers, President of the National Federation of Labor, who spoke for those who would have to go to the wars if wars there be, and who have the largest personal interest in preventing wars, larger even than those commercial interests which are so valuable in advancing this cause.

Let me say, in closing, that I speak with the greatest confidence of what I believe is coming very soon, and that while it might seem as though we had only been marking time during this year in the United States, and while it might seem that the other countries were getting ahead of us, I do not believe that that is the fact. The United States was the first to take a public position in favor of arbitration treaties, and ever since it has stood officially for that purpose. It is recognized abroad as the leader, and it is, in my judgment, a mere matter of accident that certain treaties have been concluded before our treaties were signed. We may rest assured that this movement is going forward. There is a cosmic pressure which would drive it forward no matter who might oppose it, and with the support of the public opinion of this country and of the world it is certain to succeed at an early day. [Applause.]

THE PRESIDENT: International law is largely a code of international morality, and though it does not have what lawyers call a "sanction," it is a power and influence that we all recognize. It is extremely fitting that on this occasion we should hear from an eminent authority on international law, the distinguished Professor in that branch of jurisprudence in Columbia University, Professor John Bassett Moore.

THE VENEZUELA DECISION FROM THE POINT OF VIEW OF PRESENT INTERNATIONAL LAW.

ADDRESS OF PROFESSOR J. B. MOORE.

Mr. President, Ladies and Gentlemen: Looking over this audience and observing the proportion of ladies in it, I am led to doubt whether ladies are unanimously in favor of international arbitration, else we

should have it established now. A poet formerly popular, but now almost forgotten, once wrote :

“Men dying make their wills,
But wives escape a work so sad ;
Why should the dames at dying make
What all their lives they 've had ?”

[Laughter.]

One of the most important functions of the Lake Mohonk Conference is that of educating and encouraging public sentiment in favor of international arbitration. Attention has been called to the remark said to have been made some time ago by a Senator, that the sentiment in favor of international arbitration was largely manufactured. Why, all kinds of sentiment are largely manufactured. The average man we meet with has no special enthusiasm on any subject ; it is only when a particular subject is strongly pressed upon him that he begins to feel a real interest in it.

At the present time, perhaps, the most important practical question we have before us in connection with international arbitration is that to which the previous speaker has just referred, the conclusion of a treaty with Great Britain. I am very glad to hear the statement that it is in contemplation to make the proposed treaty between the United States and Great Britain more comprehensive than that which has lately been concluded between Great Britain and France and certain other powers. I do not doubt that the existence of this intention explains why it is that the negotiations with Great Britain have been postponed until after the election. For my own part I cannot conceive of any objection that any Senator might have, no matter how hostile he might be to international arbitration, to a treaty between the United States and Great Britain, or between the United States and any other power, couched in the language of the treaty between Great Britain and France. I am far from expressing or intending to express an unfavorable opinion of that treaty, because there existed between Great Britain and France for centuries a settled enmity, and arbitration between them is a comparatively new thing ; but, as between the United States and Great Britain, such a treaty would mark most decidedly a step backwards.

The Anglo-French treaty, in the first place, requires the submission to arbitration only of “differences of a judicial order, or relative to the interpretation of existing treaties between the two contracting parties.” The phrase “differences of a judicial order” perhaps is not specially objectionable, yet it is very indefinite. But, after creating this very vague and limited obligation, the treaty proceeds to enumerate exceptions to it. To begin with, we have an exception of questions involving “vital interests.” This is unobjectionable. But we then have an exception of questions involving the independence or “honor” of the contracting parties. I should object to excepting from the operation of an arbitration treaty between Great Britain and the United States matters affecting the national “honor,” because any question is capable of being considered as

affecting the "honor" of the contracting parties. Not only that, but I should object to it because the most striking arbitration that has ever been held between the United States and Great Britain, and the most important arbitration that has ever been held, was one that distinctively involved a question of national honor. I refer to the Geneva Arbitration. In 1865, when Mr. Adams first proposed to Great Britain the arbitration of the Alabama claims, Lord John Russell replied that it could not be done, "because," he said, "these claims involve the honor of Her Majesty's government, of which Her Majesty's government are the sole guardians." Only six years later a treaty was made for the submission to arbitration of those very claims. The Olney-Pauncefote treaty, to which reference has been made, contained no such exception, and I trust, when an arbitration treaty is concluded between the United States and Great Britain, that, while an exception probably will be made of "vital interests," there shall be no admission into the treaty of the clause with regard to "national honor."

It has been stated by the previous speaker that we are not expecting to bring about immediately the reign of universal peace. There are certain difficulties in the way of accomplishing that end, and the most fundamental difficulty is that of providing some means of exercising in the affairs of this world the necessary force for the purpose of securing the observance of law.

At the present time, in the existing state of international law, war is recognized as a legal mode of action. We have lately had an exemplification of that fact in the award of the Hague Tribunal in the case of the Venezuelan claims. We listened yesterday evening to a very interesting paper on the subject of that arbitration, and I may be permitted to add a few things to what was then stated, in order that we may have a full comprehension of the case.

The decision of the Hague Tribunal has been much criticised in the public press, and I have personally heard many severe animadversions upon it. Yet I find much difficulty, looking at the matter as a lawyer, in seeing how the tribunal could have rendered a different decision; and I will briefly state the reasons why.

A year before any measures were adopted by the British and German governments for the purpose of enforcing their claims against Venezuela, the German government gave notice to the government of the United States of the fact that it had sought to obtain from Venezuela a settlement of its claims; that arbitration had been declined by the Venezuelan government; and that it therefore intended to proceed by measures of force to obtain the satisfaction which it had otherwise demanded in vain. It was stated at the conclusion of the memorandum left at the Department of State by the German Ambassador at Washington, that the first measure to be tried by the German government would be a pacific blockade, which is a measure of force. Our government acknowledged the receipt of the communication of the German Ambassador with an expression of satisfaction, since the memorandum contained an explicit assurance

that the German government would observe the Monroe Doctrine, by refraining from the attempt to take territory. Our government was evidently gratified with this assurance, under the circumstances. With regard to the explanation made in the memorandum of the nature of the German claims, our government stated that it did not feel called upon to express any opinion. Great Britain joined Germany in the blockade of the Venezuelan ports a year later. The blockade was begun as a "pacific blockade," but, upon the protest of our government against its application to American vessels — not against blockades in general, but against the blockade in the particular form in which the powers proposed to enforce it — they at once converted it into an ordinary hostile blockade, and our government and all other governments immediately recognized the existence of a state of war, and observed a course of neutrality.

Now the Hague Tribunal in its judgment expressly adverts to the fact that none of the non-blockading powers had made any protest against the employment by Great Britain and Germany and the other blockading power of force against Venezuela for the satisfaction of their claims. Why had they made no protest? Because, I fancy, there was not one of them that would have been willing by such a protest to waive the right which nations in the present state of international relations possess to use force for the purpose of obtaining justice, as they conceive it to be, for their own citizens. That is the reason why. In other words, the blockading governments merely pursued what is recognized to-day as "a legal mode of action." That is all. We advocate arbitration; we desire to see such questions submitted to judicial tribunals rather than settled by force; and yet, in the present state of international relations, if a nation sees fit, instead of submitting its quarrel to international arbitration, to prosecute it by force, what will other nations do? Is there a single one of them that will say, "We consider this war unjust, and we will not recognize a state of war"? No, not one. They will all immediately say that they will pursue a neutral course. In other words, they recognize war as a legal mode of action. In judicially deciding, therefore, that the blockading powers had by their forcible action acquired a preferential position, which, but for their agreeing to submit the question to arbitration, they would have gone on to make effective, the Hague Tribunal merely declared and applied, as it was in duty bound to do, the existing international law. The Hague Tribunal is a judicial, not a legislative, body.

How, then, are we to establish a reign of peace on earth? It seems to me that the first thing that we must do is to establish a system under which the necessary force in human affairs may be applied without nations going to war. We know how it is in our municipal governments, in our own national affairs. We must keep a certain number of policemen in proportion to the population. In doing so we merely recognize, and necessarily recognize, the existence in human nature of an aggressive element. There are good men and bad men; there are just men and unjust men; there are unaggressive and aggressive men;

so that we must maintain some police force for the purpose of curbing and keeping in order those who are disposed to violate the rights of others. Now in international affairs we have the same fundamental facts to deal with, the facts of human nature; but we have not yet reached that stage of international organization in which some acknowledged force can be used for the purpose of preventing wrong, and at the same time preventing war.

At the present day, if two nations go to war one against the other, one may make a conquest of the other's territory. We may convert a war of defense into a war of aggression in that way, and yet it is perfectly legal according to the present code of international law. What we must do is to find some way to apply as between nations a legal system similar to that which exists in every civilized state. It may be said that that is more or less of a dream; and so it is. Our German ancestors, when they were wandering in the forests under their tribal chieftains, I suppose would have treated the feudal organization as a dream; and so the followers of the feudal chief would have treated the modern international state as a dream. It was something that they simply could not conceive of being put into practice.

There are two ways, as it seems to me, in which some international force might be employed for the purpose of conducting international relations under a system of law. We might have, perhaps, a system under which penalties would be applied to any nation that showed a disposition to do wrong and actually committed a wrong; all nations might concur in inflicting certain penalties. But there is yet another plan more comprehensive than that, and that is the organization of a sort of international force which should be under the control of an International Council. This International Council would consider the question of justice between nations, determine which was in the right and which was in the wrong, and if the nation which was conceived to be in the wrong was recalcitrant, then under the orders of the International Council the international force would be employed for the purpose of restraining the nation that was disposed to inflict an injury.

This, I repeat, is only a dream. There has been nothing in international relations so far that seemed permanently to approach it. But we have things that suggest it in a vague and rather shadowy way. Take, for example, the European Concert. We are always pouring ridicule upon the European Concert; but, while there has been a great deal of bickering among the powers that composed it, yet the European Concert has prevented twenty-five wars to one that it has ever caused. It is, however, an organization which, although in a sense always in being, is not always in a state of activity; it is not always in such a position that it can act efficiently; it has not the necessary permanent powers.

The idea of permanency in our international organizations is well illustrated in the Hague Tribunal, of which our distinguished Chairman is a member. The purpose of that organization was to secure

some permanent tribunal which would always be ready to decide disputes that might be submitted to it. And when such a tribunal was arranged for, in my opinion a great advance was made. Even though nations are not every day resorting to the Hague Tribunal for the settlement of their differences, yet in its very establishment a step was taken towards a permanent international tribunal that may be able almost wholly to prevent wars between nations.

The things that to-day are impracticable in the future may be practicable. If I am not wholly practicable, I trust that at any rate I am logical; and sometimes by following the lines of logic into the realm of unpractical things, we find ourselves after a while on practical ground.

In advancing in this direction we need every possible support that can be obtained in public opinion. In our meetings, in our writings, in every possible way we should bring the weight, the force of public opinion to bear in favor of the establishment of a condition of things which, by the enforcement of law among nations, precisely as it is enforced in separate states among individual men, will bring about a regulated, orderly and peaceful reign of justice. [Applause.]

MR. SMILEY: Professor Moore was for many years in Washington assisting the Secretary of State, and has written six large volumes on the history of international arbitration, a work which is an authority the world over. He is now engaged in writing a book on international law, closely allied to this subject, and consisting of about the same number of volumes. Both these books are published under the authority of the United States.

REV. WILBUR F. CRAFTS: May I ask Professor Moore if the united Pekin army would not serve as a model for an international force?

PROFESSOR MOORE: That was an example of international action, precisely. All we have to do is to convert these occasional things into permanent things. Take the Berlin Conference of 1878; but it came after a war, unfortunately, instead of before.

THE PRESIDENT: Yesterday it was announced at the opening session of this Conference that it was desirable to avoid all partisan allusions to the unhappy state of war that now exists between Russia and Japan. I think we all recognize the propriety of that admonition, and yet I know that we will pardon in the speech of the gentleman who is now to be introduced the natural sympathies and the patriotic feelings without which he would be less than a man, if he were unavoidably to give evidence of them.

We shall have the pleasure of hearing from a distinguished subject of the Emperor of Japan, who has long resided in this country and is known and respected widely. I refer to Baron Kentaro Kaneko, who will now address you. [Applause.]

JAPAN'S DEVOTION TO ARBITRATION AND TO JUSTICE AND GOODWILL.

ADDRESS OF BARON KENTARO KANEKO.

Mr. President, Ladies and Gentlemen: I esteem it the greatest honor ever conferred upon me that I have had an earnest invitation to appear before you and say a few words in regard to the subject of your Conference. Since my arrival here I have been repeatedly asked by the Committee, and also by members of the Conference, to say a few words in regard to international arbitration. But I told your President, and also the Executive Committee, that at this critical moment of my country's existence it would be very hard for me to say anything and confine my speech within the strict limit of the rule you adopted yesterday morning. I might make a mistake by referring to the present war, — because we are fighting for peace, and peace is the sole object of this Conference.

Strictly confining my speech to the rule, most appropriate in this hall and on this occasion, I might say a few words in regard to arbitration in our history.

You all remember very well, without my telling you, that from the beginning of our international relations with the outside world we have advocated arbitration, and we have bound ourselves to have international difficulties settled by this means. In the year 1875 a Chilean vessel brought five hundred Chinese slaves into the harbor of Yokohama, under the flag of a Christian nation, on board a ship of a Christian nation. We stopped that vessel and took every one of the Chinese slaves on shore, and gave them freedom. [Applause.] The Chilean government made the strongest protest against our action, but we moved not a bit. We stood on the ground of the protector of the peaceful subjects of the Chinese Empire, not our own people, and we have upheld the principle of international law forbidding the slave trade in Christendom. But we had no support from the outside world; the Christian nations stood aloof and never supported us. Consequently, finally the Chilean government and our government agreed to submit the matter to arbitration, and the arbitrator was the Czar of Russia. After the close of the investigation, of course the Czar gave the decision in our favor. [Applause.] This was the beginning of our national history with the outside world, in upholding and maintaining the very principle of your Conference.

Ever since then we have had intercourse with the outside world according to the principles of international law. We in the Far East, a little island empire, never attempted territorial aggrandizement; we never committed any act of violence against international law or against the peace of the world — never yet. Other powers have often violated the peace of the earth.

Yesterday morning a gentleman referred to the arbitration relating

to the House Tax in Japan. If you will allow me I will express a few words in regard to this House Tax which we submitted to arbitration. Five years ago the European powers whose subjects have come under the jurisdiction of our law demanded the leasehold for a certain year of land in the foreign settlement. We had a long discussion with these foreign powers, but we gave absolute ownership to foreigners who were holding land on leasehold tenure for a term of years; we gave them full right to hold it, out and out, as you hold your land here in your own territory. At that time I had the honor to be in the Cabinet of my Emperor, and some of the foreign representatives went so far as to say that if we gave the land arising out of leasehold tenure foreigners would be willing to pay the taxes on houses. When that step was gained, they refused to pay taxes on houses. We had not required them to sign a written document; we took their word of honor as a pledge. We in the East, the Orientals, take the word spoken by a Christian nation and by a gentleman; we never require written documents. [Applause.] By taking advantage of parole evidence, they refused to pay taxes on houses.

Thus there came another trouble with the foreign powers. We are continually seeking to be friendly, to be peaceful with the foreign powers, and although we have a full right to insist that they should pay the taxes, we submitted the matter to arbitration. Have we not carried out the principle and the motive of your Conference?

From the year 1875 to the present moment we have tried continually in international difficulties to uphold and maintain the principles we are here discussing; we have continually upheld the principles of arbitration and of peace. The Japanese are taught from their boyhood and from their girlhood up a moral precept which says, "Deal not to others what thou wouldst not like to have dealt unto thee." [Applause.]

If I remember rightly, that moral precept was—not in the same words, but in the same spirit—what your Saviour delivered to his disciples. I think that Dr. Hale can testify to that.

We also find in the Scripture of your country and of Christendom, "Blessed are the meek, for they shall inherit the earth." But what do we see in the East by way of object lesson? Every year the action of foreign powers in the Far East shows us that so-called Christian nations and so-called civilized powers are continually pressing their territorial aggrandizement. Therefore we said that the Scripture might perhaps not be translated correctly. [Laughter.] So we went to work to study the original Greek text, suspecting that it might really be, "Blessed are the strongest, for they shall inherit the earth." [Laughter.] But we found in the Greek and the Latin the same words, and that it was written clearly in all cases, "Blessed are the meek, for they shall inherit the earth." However, in the Far East we have found it to mean, "Blessed are the meek, for they shall *disinherit* the earth." [Laughter.]

It is very well to talk about peace and to try to persuade others to maintain peace and to arbitrate their difficulties, but before you

can put your principles into practice you will have to teach your so-called Christian nations and your so-called civilized peoples to respect the rights of other nations. [Applause.] Before you can have the principle of arbitration carried out, you must teach them that the true grandeur of nations is to live in peace at home, and to be in peace with other powers upon the globe.

So, if you review the history of our diplomacy, you will find that we are continually pressing and maintaining the very principle of your Conference.

You have done me the greatest of honors to invite me here to say a few words. I have many things relating to that territory as to which you hold strict neutrality which I should like to tell you, but I am prevented by the impartial rule which you adopted yesterday. Therefore I abstain from expressing myself any further. [Applause.]

THE PRESIDENT: I am sure, ladies and gentlemen, we all commend the good taste, tact and sense of propriety of Baron Kaneko in the remarks which he has addressed to us. [Applause.]

The next speaker on the program is REV. DR. PHILIP S. MOXOM of Springfield, Mass.

THE MOTIVES TO WHICH WE SHOULD APPEAL.

ADDRESS OF DR. PHILIP S. MOXOM.

Mr. President, Ladies and Gentlemen: I have listened with the deepest interest to the gentleman who has last spoken, as you all have done. We are learning some lessons in this late day that we need to learn. We have had one to-day. Yesterday Mrs. Mead said very wisely that this cause must proceed on two legs; one was the Hague Tribunal, and the other, if I recall rightly, was an international police. Three years ago I had the audacity to suggest before this Conference, as a natural accompaniment of the founding of a court of international arbitration, the establishment of an international police. I was amiably scorned. The suggestion has been made by several eminent persons in this Conference, and I take great satisfaction in it; it is in the line of the logical development of the movement and the principle which we represent here.

But if this movement must go forward on two legs it is equally true that we must go forward with two eyes open. Jesus said, "If thine eye be single thy whole body shall be full of light,"—but that does not mean to be one-eyed. Now there is no doubt but there are many good people who approach this whole subject with only one eye,—a very clear eye,—but it does not take in the whole field of vision.

It is idle for us to discuss the question of the reduction or the abolition of our army or navy; we might as well discuss the abolition of the police. We must recognize the fact that force has played a very large part in the development of civilization. The day is coming, and

it is drawing on, when that part will be less and less, ever diminishing, but it has had a great place in the world, and there have been no men who have been more loyal servants of civilization in the highest sense than many of those who have borne the name of soldier or sailor. [Applause.] I am sure that there are many of us still alive who have no apology to make for the fact that we have been soldiers.

We are seeking to promote the cause of international arbitration, looking toward universal peace. What are the motives to which we can successfully appeal; what are the grounds upon which we must solidly stand? Much has been said, and said wisely in the main, about the influence of commerce. There are two sides to that question. Capital is sensitive and conservative; commerce is sometimes aggressive and greedy, and it sometimes promotes war quite as surely as the more conservative business interests tend to prevent war. To-day, war, if it is made, is likely to be made for commercial aggrandizement. I am forbidden to say anything about the trouble in the East, but there is no doubt that, in the secret history of the movements which led to that war, not only the desire for increase of territory and enlarged commercial opportunity, but also the vulgar greed for gain, had place.

Now we have great encouragement in the fact that business men and business interests are beginning to give active support to the cause of international arbitration. Already they are doing very much and are worthy of all praise; but there is a tide in the affairs of men that is larger than any single enterprise, however great it may be. We must not forget that the constitution of things, that the course of human development, that the great Power, whom we reverently call Almighty God, is working out this problem and moving toward the triumph of moral forces and the substitution of reason for brute strength.

One of the chief forces that is at work in this cause is the increase of communication between peoples. Mutual acquaintance, as was suggested yesterday, is one of the most potent influences in causing the abandonment of war, by removing the blind motives that often have led to war. We are learning that human beings belong together in a kinship that is deeper and stronger than any of the distinctions and the barriers created by race and color and local habitat. *Das ewige Menschliche*, the eternal human, is coming to the front in the conscience of the world, and we are feeling that man is man wherever he stands. As that feeling grows the impulse to war is lessened.

Then there is the appeal to the growing sense of justice. I do not attach very much value to the arguments for peace on the ground of what war costs. I care not how much it costs; when men are at the fighting point they do not think about cost; and the mere question of economy, while it does affect somewhat the minds of peoples, and while it does act as a restraining influence, has no such power to restrain as the awakened sense of justice and right. There we are upon solid ground; there we lay hold of a motive that cannot be exhausted. What is right to my neighbor? What is just? That

sentiment, possessed by the nations through the development of the world consciousness which every year becomes more and more a world conscience—that is making for permanent peace. And as the sentiment of justice increases, armies and navies will decline to the level of a mere police force and will gradually pass away. If we begin by an attack upon the soldier and the sailor and the organizations which they represent, we shall hamper our course and we shall be logically wrong; but if we steadily press the great principle of fair dealing between man and man, such fair dealing as we have had illustrated in the temper of the distinguished gentleman who has just spoken to us, we shall gain.

I cannot help feeling how far in some ways the world has moved on. Go back twenty-five or thirty years, and how many of our people had any such contact with the members of this distinguished gentleman's nation as they have now, or had any such conception of that people as they have now? Will it not be true, as we come to know other nations of the earth, and come into close acquaintance with them, that we shall be disposed to deal fairly with them, and war will be no longer thought of save as a necessity, a last resort, for the preservation of the very principles which make life worth living? [Applause.]

THE PRESIDENT: This Conference is honored by the presence of a distinguished jurist, who has consented to address us for ten minutes, the HON. SIMEON E. BALDWIN, member of the Supreme Court of the State of Connecticut.

REVERENCE FOR LAW.

ADDRESS OF JUDGE BALDWIN.

Mr. President, Ladies and Gentlemen: We have been fortunate for the last one hundred or one hundred and fifty years in having a recognized science known as international law; a part of the law of every civilized nation as fully as the law passed by their legislatures. And now for more than three years we have had a Court to enforce that law and to declare it; a Court, it is true, before which no one, no nation, can be compelled to appear, but a Court before which it is easy for nations to appear, and where they may be reasonably sure that this science of international law will be fairly applied to the decision of their controversies.

In the impressive prayer with which this day at Lake Mohonk was begun, one of the petitions that sprang, I know, from the depths of the heart of the man who put it up was that in the American people the sense of reverence for law might be deepened. It is on that sense of reverence for law that the future of the Hague Tribunal, that the future of what we are pleased to call, for want of a better name, international arbitration, depends. I say, for want of a better name, for "arbitration" is really no name for the processes that go

on at the Hague Tribunal. Arbitration, as we understand it commonly, is where parties to a controversy agree to submit it to the friendly determination of some third person or power, to be decided, not according to the principles of legal science, but according to what that man, that power, thinks fair and just. There is no certainty to arbitration; there is certainty to the application by a court of the science of law.

Look for a moment at what has been done by this Hague Tribunal in the judgments that it has rendered.

The United States and Mexico came before it with their controversy over the Pious Fund, Mexico claiming that she was under no just obligation to pay anything further upon the claim of the Roman Catholic Church of California. The only point determined by the Court at The Hague—the only point any lawyer would have said they had a right to determine—was whether the American answer to this was made out, which was that that very question had been long before submitted to the determination of a commission, and had been decided against Mexico and in favor of the claims of the Church. There is a principle of law that a controversy once fairly litigated and decided is closed. That controversy had been once fairly litigated and fairly decided. It was closed, and the Court at The Hague refused to hear the plea that equity demanded a different result, and they were right.

Recently Venezuela had her controversy before that Court, or rather there was a controversy of the eagles over the carcass, and, as has been explained by my friend, Professor Moore, so clearly to-day, the Court considered simply a legal question; decided simply what the law of nations was as to the rights of the parties. And for one I believe their conclusion right, and I deprecate the criticism that has been cast upon it in this assembly. We need reverence for law and reverence for courts, and we, as an educative force in the community, should, so far as we can influence public opinion, influence it in the direction of reverence for the administration of the law by that great Court at The Hague. [Applause.]

I am glad that one of our countrymen who has done so much for the general cause of humanity with his millions has given a million and a half to the Queen of Holland to build a fitting Temple of Justice where this great Court may sit. As some great cathedral glorifies the service of the church within it, so this Palace of Justice which Carnegie has provided for at The Hague will lend a dignity to the Court that will increase this spirit of reverence throughout the world for what is the law of the world. [Applause.]

Now a word with regard to what we can do to make that Court all that it can be for the world, and for this country before all others. This Conference has committed itself to the view of making its first object the promotion of a treaty between Great Britain and the United States, rightly, I think. These two governments are precisely in accord concerning the position of international law as a ruling force

between nations, having the same system of laws, the same system of evidence, the same system of judicial procedure.

What might be done to render the Hague Court of the utmost value to Great Britain and the United States in any treaty that might be negotiated? I should say, it might be to further the idea of the Hague Court, which was to create a tribunal in advance of a controversy; to further that idea by selecting from the Hague Court five judges now, who for a period of time — five years, if you please — should be the court before which whatever controversies Great Britain and the United States might have to send to The Hague should be tried.

We have four American judges; there are four British judges, all men of eminence. Suppose that by agreement between the two nations the King of England were allowed to nominate from the Americans a Chief Justice of that Court for the purposes of a decision of controversies in the Hague Tribunal between England and America; suppose that the President of the United States also were allowed to nominate from the English members a Chief Justice,— draw lots, if you please, which of those two men shall be Chief Justice. Then let, in the same way, four associates be selected, two of the Americans by the executive authority of England, two of the Englishmen by the executive authority of America. Let them serve for five years, and at the end of that time let your Chief Justice be selected from the other nation by the other executive magistrate.

You would then have a standing court of five men presided over presumably by the foremost jurist out of all those representing the countries in that Tribunal. You would have a tribunal not created after a controversy was hot, but created in advance of controversies. I think we should have the fullest reason to believe that with such a court the science of international law would be administered as any court in England or America would administer it. If it were not, the public opinion of those countries would rebuke it. We are not talking at this moment of courts constituted of officers such as might possibly be nominated by some of our sister Republics in Central or South America, if they should adhere to the Hague Tribunal — Republics whose law is war and revolution. We are talking of a court created by these two great countries, lovers of law, defenders of law, sharing the same law.

Matthew Arnold said: "There are two things that rule the world: Force and Right; Force till Right is ready." I believe that for these two great peoples of England and America, where public opinion rests on popular intelligence and education, Right is ready now. [Applause.]

HON. JOHN V. L. FINDLAY, a member of the Baltimore Bar, was next introduced and spoke as follows:

THE ENFORCEMENT OF THE DECREES OF THE HAGUE TRIBUNAL.

ADDRESS OF HON. J. V. L. FINDLAY.

It would be a great gratification to me indeed, Mr. President and Ladies and Gentlemen of the Conference, if I could express the deep sense that I have of the kind invitation sent by our worthy host, and to testify in some way to my appreciation of the almost prodigal hospitality he has showered upon us here in a way that is as generous as it is graceful.

But, without any mawkish sentiment or affectation, I must say with perfect truth that I do not feel equal to the occasion, for many reasons ; and, among others, I have a good excuse with which to discharge my conscience, on the strictest principle of self-defense, which I believe is a mode of warfare recognized by the most extreme of the peacemakers. When my friend, whom I see looking at me over there, waited upon me and asked me to say something here, I told him, as he will recall, that I would rather wait until the spirit moved me. He assented to that, and I thought, coming from him, it was an additional guarantee of good faith.

Now I have not felt in me the spirit moving me, I am sorry to say, and while I have felt a sense of something moving on me from the Chair, I can hardly associate the robust figure of the Chairman with a spirit, except the spirit of perfect fairness and justice, with which he has in a long and useful career discharged the many onerous responsibilities which have been imposed upon him. [Applause.]

I would have liked to say a word or two upon the question as to the method by which you will enforce the decrees of the Hague Tribunal in case a debtor nation, after an award has been made against it, either neglects to pay or finally refuses to pay ; because, it will be observed, or it will be recalled, possibly I should have said, by some of the older members of this body, that there was a time in the history of the relations between the United States of America and the United States of Venezuela when that very question promised to be a very serious one.

Venezuela and the United States in 1868, in the administration of President Johnson, agreed upon a convention for the appointment of a Mixed Claims Commission for the purpose of liquidating the claims of citizens of the United States against the government of Venezuela. There were no counter claims of citizens of Venezuela against the government of the United States. An award was made, by the commission which sat in Caracas, of such an amount and under such circumstances that Venezuela protested against payment, and kept up that protest until General Grant, who was then President, threatened to send gunboats to La Guaira and enforce payment. After a while better counsels prevailed, and Venezuela presented her

case to the Congress of the United States, believing that she could wring out of the unjust judge, if you please, by importunity what could not be accomplished otherwise, and pressed it year by year, until finally in due course of diplomatic time, which moves as slowly as senatorial time, in the beginning of President Harrison's administration, another convention was ratified between the two countries which provided for the appointment of a Mixed Commission on Claims for the purpose of undoing the work of the former commission, and of passing upon the claims which it had passed upon, and of finally adjudicating them precisely as if they had never been considered.

Now you see that this illustrates the possibilities of international arbitration; for there was an award made, there was actually money distributed under the terms of that award, and yet twenty years afterwards it was impeached and set aside, I will not say for what cause, because that was distinctly overlooked and ignored, by the United States at all events, but I will say in general terms that it was for that cause which vitiates every judgment, municipal or international.

The question occurred to me when Judge Stiness, I think it was, brought up the subject yesterday, and when it was followed up by our distinguished Chairman: Suppose that Venezuela had persisted in her refusal to pay, and the United States had sent its gunboats down there to collect its claims at the mouth of the cannon, what would have been the result? War! Then you would have gone back again into the same hole out of which you had apparently escaped. Nothing could be more ridiculous than a war to enforce the decree of an international tribunal; nothing would bring more ridicule upon the whole matter of arbitration than such a war as that. For, mark it, a war that might be instituted in the first instance for the collection of these claims before they were submitted for peaceful settlement would not have infused into it the bitterness that would attend the war after the claims had been reduced to judgment, when the creditor nation could insist that there had been the grossest treachery and breach of faith in the refusal to stand by the award.

So that war, or any force in its active sense, as a means by which we are to enforce the decrees of these international tribunals, or this particular tribunal at The Hague, seems to me out of the question.

How, then, shall you enforce them? Is it necessary to go to war? Is it necessary even to contemplate the actual application of force, not the possibility of it, but the actual application of force? Why, take the case of the great nations of the United States and of Great Britain. Consider the award made by the Treaty of Washington known as the Geneva Award, and referred to by Professor Moore — an award of fifteen million dollars against Great Britain. Well, she paid it. Does any one think for a moment that Great Britain paid that award because she was afraid of the United States? No. She paid it because her government represented the conscience of one of the most advanced, if not the most advanced, people upon the face of the earth. [Applause.]

What we want to accomplish, if it is possible, is to strive, each one of us, until we can make the conscience of the nations the sum and expression of the highest conscience of the individuals who compose those nations. That will accomplish every result. [Applause.]

MR. JOHN B. HENDERSON, JR., of Washington, was the next speaker. His address was as follows :

THE HAGUE TRIBUNAL DOES NOT GO FAR ENOUGH.

ADDRESS OF MR. JOHN B. HENDERSON.

Mr. President, Ladies and Gentlemen: The address that I have just heard has filled me with confidence and inspiration. I was beginning to fear that I was but a dreamer, that I was an irresponsible dreamer. I have taken courage, and, though I was actually becoming frightened, I shall make the remarks that I had originally intended to make.

Mr. Macfarland has told us that there are some gentlemen in Congress who are opposed to international arbitration. I regret to say that Mr. Macfarland is right; there are such men. I wish that we could all get together to do something to help Mr. Smiley to inveigle these gentlemen to Lake Mohonk. I believe that if they came here they would become converts. As for me, I cannot conceive how any man of intelligence can doubt the wisdom of arbitration.

Through many generations of experience and progressive evolution man has at last become a reasonably sensible creature, preferring civilization to barbarism. He knows that civilization is a condition calling for the recognition of alien rights; that the essence of civilization is harmony and peace, and that war is the spirit of barbarism.

The most important thing for human consideration to-day is to devise some effective plan for avoiding war and securing the blessings of peace. Treaties of arbitration have been tried, to accomplish this end, yet we must admit that every civilized nation on earth is at this moment more completely than ever armed and equipped for war. Their armies and navies are their most popular institutions; their military budgets increase steadily from year to year as they seek actually to compete with each other in military equipment.

But we may not conclude from this that arbitration is a failure. Arbitration has proved its claims to favor, as it has no doubt prevented many wars, and nothing which could accomplish that should be condemned. It is, however, the part of wisdom to seek for the highest degree of perfection. Our ancestors did not abandon their purpose to establish a permanent court for the trial of controversies between private individuals because their first efforts may have failed to secure perfect justice.

If arbitration cannot prevent all wars, nor even relieve the nervous

tension which the possibility of war engenders, it shows that arbitration, as well as human nature, is defective in some essential particular. Wherein lies that infirmity may be discovered in the preliminary history of every war.

A nation is aggrieved. A secret, mysterious diplomatic correspondence is begun. The conservative element of the population desires arbitration, but the masses of the people become excited and wish to fight. The more aggressive among them pose as patriots and their cause too easily gains ground. The newspaper press, and especially that which thrives upon sensation, caters to the popular element and clamors for a vigorous policy — which probably means in this case the policy of our barbarian ancestors. Demagogues, who have nothing to lose and possibly something to gain by national confusion, begin swarming and swell the ranks of the “patriots”; they accuse the government of cowardice and denounce those who counsel moderation as traitors to their country.

While the two nations are haggling over the choice of arbitrators and a set of rules to govern them, time slips by, every moment of which is full of danger to the cause of peace — time, when every act of either party to the controversy is regarded by the other as a new aggression or fresh insult.

Before the ponderous machinery can be set in motion, with its wheels in two foreign offices, in two executive mansions, in four branches of congress, its movements hampered by the press and by an excited people, aggravated by party influences and by powerful considerations of personal gain, it is too late; reason has lost its sway, a blow is struck, the wound is opened, blood poisoning sets in and war is on.

Mr. Chairman, is it still too revolutionary for us to urge something more immediate, more substantial, more binding, more reliable than a mere agreement to arbitrate? May we not agitate for a permanent international court, always in session and always ready — a permanent, dignified, wise and confidence-inspiring tribunal into which a nation may immediately and without the loss of a precious moment bring legal action against another? The establishment and jurisdiction of such a court are easily arranged; it is only the question of its sanction which may cause any hesitancy.

The Hague Tribunal marks an epoch in the evolution of peace, but it does not go far enough. There is no obligation, no sanction, unless expressly yielded in each special emergency.

If the United States and Great Britain are willing to make between themselves a treaty of arbitration, and if Great Britain and France are willing to do the same, and if France and the United States, or if any other powers, are separately willing to approach each other in this friendly and sensible way, why may not these same nations agree to go a step further and establish as between themselves a permanent court? The fundamental idea is the same; it is but a step in advance of present progress; it but completes and perfects a system that the future must bring.

Let the signatory nations make it obligatory upon themselves to resort first to this court. Let them agree that any treaty power that refuses to respond when impleaded, or which refuses to abide by the judgment of the court, be denied belligerent rights; let them deny such nation all harbor and coaling privileges; let them deny the right of asylum to her citizens; let them remove from such a nation the supports and safeguards of neutrality. Under such disabilities no nation could afford to ignore its obligations to answer first in court.

I believe, Mr. Chairman, we should devote our energies to the establishment of such a permanent tribunal or to the recognition of the Hague establishment as such a court. If it is organized, its certain growth and improvement, its enlargement of jurisdiction, the justice of its judgments will undoubtedly give it permanence.

Men have acquired the habit of accepting the decrees of their courts, and in the eternal fitness of things nations will eventually do the same. Habit and custom are the strongest forces we know; let us utilize them to our advantage.

The controversies of individuals are no longer settled by wager of battle, and I firmly believe that future time will record it a disgrace to the civilization of this age that national controversies were settled in so crude a manner.

Let us urge upon our government to take the initiative in the establishment of a permanent international court with ample jurisdiction to secure international rights and to promote the welfare of the world.

Opportunity was then given for brief voluntary remarks.

HON. FREDERICK W. SEWARD: I have listened with great interest and pleasure to what has been said by Mr. Macfarland, Professor Moore and the other gentlemen who have followed them on the subject of the proposed arbitration treaty between Great Britain and the United States, and I am very glad to find that on that subject we seem to be all of one mind. We all want some kind of an arbitration treaty with Great Britain, however much we may differ about Venezuela, or other countries we are not permitted to mention.

We have had a good many quarrels with our mother country during the one hundred and twenty-eight years of our existence, and twice we have gone to war with her. Those flags that hang so peacefully together here this morning have been borne against each other in the shock of contending armies on many a battlefield. It is to be conceded that those battlefields have bequeathed to us the record of brilliant victories and the names of heroes that we still cherish with honor and with pride. Yet it is also to be remembered that both those wars were long and bloody and costly, and that they did not settle all the questions that were involved in them. For it is the misfortune of war that it cannot settle everything. Each of them left behind it a feeling of rancor and ill-will on both sides of the Atlantic, which endured in greater or less degree during the lifetime of the generations that waged the battles.

Now for nearly one hundred years we have stopped going to war with Great Britain and have settled all our controversies with her by peaceful means. We have had a great many quarrels, more than twenty within my remembrance, and they have all been settled by diplomatic negotiation, by joint commissions or arbitral boards, and all of them have been settled rightly and satisfactorily. They have shed no drop of blood, they have cost but a trivial amount of expense; they have wasted no time, and, best of all, they have left behind them no feeling of rancor or ill-will on either side of the Atlantic. On the contrary, every such settlement has led to an increase of mutual respect and confidence between the two nations.

I think we have only to look back over our own experience to see what hereafter will be the wiser course for us to pursue in our quarrels with the mother country. [Applause.]

Judge Penfield last night made a very suggestive remark, — that war is a bad habit, but a very hard one to get over. Well, in the case of Great Britain I think we have got over it, we have already reached a point where neither nation wants to go to war with the other, and both are ready for peaceful settlements. We have begun that peaceful habit, and if we adopt any form of arbitration between us I am sure it will confirm and strengthen us in it.

MR. SMILEY: Mr. Seward, who has just spoken, was formerly Assistant Secretary of State, and is the son of the very distinguished Secretary Seward of New York.

MR. WOODRUFF: Mr. Chairman, a remark made by Mr. Seward leads me to say that the flags which you see draped back of the desk were at the Washington Conference in January last, and they are on their way to the Hague Court, where they are to become a part of the permanent decorations of the Palace of Peace to be erected for that Tribunal. [Applause.]

MR. EDWIN D. MEAD: I should like to remind the Conference of one fact of great moment which signally confirms the eloquent contention of Mr. Findlay. Mr. Findlay's remark was that when we had proceeded so far in civilization that we had come to establish the process of arbitration as a substitute for the process of war, we might depend upon the spirit of civilization itself to supply the sanction for its own decrees. Now we do not need to appeal to that great principle, the power of which we all recognize, but simply to fact. In the last one hundred years there have been about two hundred international arbitrations; they have involved questions of every kind, territorial questions, questions of honor, questions of the utmost moment. In none of those cases, although feeling has been deeply stirred, has there been any failure on the part of the parties involved to act up to the tacit pledges with which they went into that arbitration.

So I believe it will ever be. Where there has been any expression that seemed to show a feeling of dissatisfaction and resentment, it

has always been because there was in that arbitration some method of procedure not agreeable to both parties.

I confess, Mr. Chairman, that it was with a little feeling of uneasiness that I heard you refer in the speech which so went to our hearts yesterday morning to the unfriendly sentiment which had been displayed in Canada with reference to the recent decree concerning the Alaskan boundary. We should never forget that the only thing that led to these expressions of resentment or dissatisfaction on the part of Canada was not because the judgment of the Court went against her, but because the Commission was constituted in a certain way, and those expressions of dissatisfaction were, if possible, even deeper before the decree than after it. It was because she felt that we had not exactly lived up to our pledge of appointing three impartial jurists of repute. The men appointed by us to that Commission were men who we all know were notorious for the attitude which they had taken upon that question, and it was because Canada felt, rightly or wrongly, that the dice were loaded that she made her protest at the beginning as at the end. But I do not think that Canada would ever resent or would ever comment in any unfriendly way upon the decrees of any commission of arbitration or upon the decision of any arbitral board constituted in such form as we all here desire and work for. [Applause.]

THE PRESIDENT: I think I ought to say, in response to what has been said by Mr. Mead, that I not only had no intention of saying an unfriendly or unkind thing in regard to the mode in which that award had been accepted by Canada; on the contrary, I think the great body of the people there did accept the award, which was against their hopes, with due respect. And I think that the reasons for the criticisms in Canada upon that award undoubtedly had their ground as stated by Mr. Mead.

The Conference adjourned at 12.30 P. M.

Fourth Session.

Thursday Evening, June 2, 1904.

The proceedings at this session consisted of a report from the special committee appointed to interest business men in international arbitration, made by Mr. Clinton Rogers Woodruff, and addresses by business men and official delegates of business organizations. The speakers were, besides Mr. Woodruff, Mahlon N. Kline, Elwyn G. Preston, A. Foster Higgins, Joel Cook, Hon. Samuel B. Capen, Eugene Levering, A. B. Farquhar, Thomas F. Main, Prof. John H. Gray, Frederick H. Jackson, Albert B. Chandler, William B. Jones, A. W. Dickson, W. A. Mahony, Gen. C. H. Howard and John B. Garrett.

The President called the Conference to order at 8 o'clock and introduced the Secretary, Clinton Rogers Woodruff, to make the report of the special committee appointed to interest business men in international arbitration.

MR. WOODRUFF: In the absence of the other two members of the committee, Mr. George Foster Peabody of New York City and Mr. Charles Richardson of Philadelphia, I have been asked to give the facts and figures in regard to the efforts that have been made and the results secured during the past two years to interest business men in this subject of international arbitration. Through the courtesy of Mr. Smiley, a very considerable body of business men representing the different business organizations of the country are here this evening. A meeting of these business men was held to-day, and fifteen or sixteen of them have been appointed to speak for five minutes each at this meeting.

BUSINESS MEN AND INTERNATIONAL ARBITRATION.

REPORT OF A SPECIAL COMMITTEE APPOINTED TO BRING THE
QUESTION OF INTERNATIONAL ARBITRATION BEFORE
THE BUSINESS ORGANIZATIONS OF THE COUNTRY.

The interest of the business man in a public movement may be accepted as a fairly accurate gauge of public sentiment. He reflects the thoughts and aspirations of that mythical although frequently-referred-to personage, the average man, or, to be more accurate, the mass of men.

The business man is of necessity brought into a close relationship with people irrespective of their religion, politics and social standing. He knows their needs and demands, he comes to know their thoughts, and, being naturally a conservative, his conduct is very largely moulded to suit their predilections and prejudices. So we conclude, and justly say so, that when he does act his action represents in nine cases out of ten something more than his own convictions — the convictions of the great unnamed classes that make up "the public."

So when organized business men formally interest themselves in a great question, we are reasonably justified in reaching the conclusion that it is a question about which people are thinking. We must not assume that such interest and such action are lacking in public spirit simply because it is a collection of public sentiment; on the contrary, it is in a high degree praiseworthy because it is no small task to formulate and announce public opinion. It is no unusual thing for a sentiment to exist and to fail of effect because from indifference or cowardice it fails to find expression.

It is therefore alike a matter of significance and encouragement when leading business men and business bodies have united in endorsing the great principle of settling international disputes through arbitration.

At the 1902 Lake Mohonk Conference on International Arbitration a committee was appointed to bring the question before the business associations of the United States. This committee prepared a circular (reported to the 1903 Conference), which was sent to a carefully-selected list of fifty business organizations representing thirty-five of the largest cities in the Union.

Endorsements of the circular have been received from thirty-four of these organizations, or from their officers or executive committees, and three additional and unsolicited endorsements have been received from cities not included in the list. Five associations declined action, citing strong local reasons, three still have the matter before them, and eight have not yet been heard from. The Boston Chamber of Commerce, the Philadelphia Trades League, the Little Rock Board of Trade, and the Business Men's Association of Springfield, Ill., have appointed permanent and active committees on international arbitration.

The Albany Chamber of Commerce, the Boston Chamber of Commerce, the Baltimore Chamber of Commerce, the Chicago Board of Trade, the Little Rock Board of Trade, and the Philadelphia Board of Trade adopted resolutions favoring the negotiation between the United States and Great Britain of an arbitration treaty. Thirteen bodies, from the cities of New York, Philadelphia, Boston, Baltimore, New Orleans, Milwaukee, Providence, Columbus, O., Scranton, Pa., Albany, N. Y., and Wilmington, Del., have appointed delegates to this Conference, and all have assisted by distributing the circulars to their members, and by furnishing mailing lists to which seven thousand more have been mailed.

The following is a list of the bodies from which the endorsements referred to have been received :

Merchants' Association	New York, N. Y.
Board of Trade	Chicago, Ill.
Trades League	Philadelphia, Pa.
Board of Trade	Philadelphia, Pa.
Merchants' Exchange	St. Louis, Mo.
Business Men's League	St. Louis, Mo.
Chamber of Commerce	Boston, Mass.
Merchants' Association	Boston, Mass.
Chamber of Commerce	Baltimore, Md.
Board of Trade	Baltimore, Md.
Chamber of Commerce	Buffalo, N. Y.
Merchants' Association	San Francisco, Cal.
Chamber of Commerce	San Francisco, Cal.
Business Men's Club	Cincinnati, O.
Board of Trade, Ltd.	New Orleans, La.
Progressive Union	New Orleans, La.
Chamber of Commerce	Milwaukee, Wis.
Board of Trade	Louisville, Ky.
Chamber of Commerce	Providence, R. I.
Commercial Club	Indianapolis, Ind.
Board of Trade	Kansas City, Mo.
Chamber of Commerce	Denver, Col.
Board of Trade	Columbus, O.
Board of Trade	Omaha, Neb.
Commercial Club	Omaha, Neb.
Board of Trade	Scranton, Pa.
Chamber of Commerce	Albany, N. Y.
Board of Trade	Dayton, O.
Board of Trade	Wilmington, Del.
Commercial Exchange	Des Moines, Ia.
Board of Trade	Little Rock, Ark.
Business Men's Association	Springfield, Ill.
Board of Trade	Jacksonville, Fla.
Chamber of Commerce	Colorado Springs, Col.
Chamber of Commerce	Beaumont, Tex.
Board of Trade	Brunswick, Ga.
Commercial Club	Beaver, Ok.

I want to make this suggestion before I sit down, that action be taken by the Conference to carry on the good work thus begun. Fifty bodies have been asked to take this action; why not during the coming year ask fifty more bodies to take similar action, so that in time the great mass of the business organizations of this country will be enlisted upon the side of international arbitration, and will be using their unquestionably great power in creating public opinion throughout the length and breadth of this land, which will bring about a consummation of those things we all so devoutly hope for?

THE PRESIDENT: It is now the duty and the pleasure of the Chair to call upon the representatives of these commercial bodies of whom Mr. Woodruff has spoken, and I will first ask Mr. Kline, who is first Vice-President of the Trades League of Philadelphia, to address us.

MR. MAHLON N. KLINE,

VICE-PRESIDENT OF THE TRADES LEAGUE OF PHILADELPHIA.

Mr. Chairman, Ladies and Gentlemen: Our friend Mr. Macfarland in his address this morning spoke of the wonderful patience of the audiences at Mohonk. It reminded me of a story that our friend Judge Ashman told me in the presence of a man who is liable to talk too long. He said a Dutchman went to buy a clock, and he was shown different sorts of clocks, and finally the clock dealer said, "Here is a clock that runs eight days without winding." "What," he said; "runs eight days without winding?" "Yes, sir." "Well," he said, "how long would it run if you wound it?" Now if the preachers and the lawyers ever get to running you know what happens, but I believe that I may claim for the interests which I have the honor to represent, they having elected me chairman of this meeting of the business men to-day, that at least they will not run very long without winding.

But I want to say, Mr. Smiley, before proceeding to introduce this subject, that this story of the clock has to me some significance. It is a very necessary piece of furniture, and it does mark the time, and Dr. Trueblood in his report yesterday related some of the figures that he had taken from that clock during the past twelve months. They were exceedingly interesting and very encouraging, and I hope that we shall have this clock revolving three hundred and sixty-five days a great many years, and our kind and genial host will remain here to welcome us back at the end of each three hundred and sixty-five days for as many years as a clock would run with winding, and that we may hear more and more and become more and more wound up through these meetings upon this subject which is of the very greatest importance, as we think.

Dr. Hale gave some practical advice at the beginning of the meeting, and I am sure that he will be glad to hear that the business men, who are always alert in taking and acting upon good advice, in their organization to-day were represented by sixteen different Boards of Trade and Chambers of Commerce and other organizations of business men, so that it was found necessary, as has just been announced, to provide for fifteen or sixteen speakers to say each a few words. I believe that I can promise that not only will these organizations stand up to be counted and to say a few words upon the subject which they have become interested in, some of them for the first time at this meeting, but that you will hear from them during the year. And I predict that when the business men put their shoulders to the wheel, Dr. Hale, if he has the honor and the pleasure to go back to the Senate as Chaplain,—and I hope he will,—will, perhaps, see evidence of their having been at work, and that they have made themselves felt, and that the Senate of the United States which we wish to ratify such a treaty, will yield to the pressure which will be

brought to bear perhaps more largely by the business men than through any other influence that this Conference has given birth to.

Now, Mr. Chairman, I think I have performed my duty in stating the number of organizations that are represented. And as I do not wish to infringe upon the time of those who will speak for themselves and for their organizations, I will yield my two minutes to some one who will have something more to say.

THE PRESIDENT: The Chair now calls upon MR. ELWYN G. PRESTON, Secretary of the Boston Chamber of Commerce.

MR. ELWYN G. PRESTON,

SECRETARY OF THE BOSTON CHAMBER OF COMMERCE.

Mr. Smiley, Mr. Chairman, Ladies and Gentlemen: It has sometimes been the fashion to decry the value of resolutions and memorials. That such action is sometimes perfunctory and not infrequently is taken carelessly is undoubtedly a fact, but that the value of this means of voicing public sentiment is thereby destroyed seems to me wholly untrue.

I regard as very important, therefore, the propaganda now being carried on among the commercial bodies of this country in favor of arbitration as a means for the settlement of international disputes. The resolutions they adopt are of value not so much because they give expression to an already formed sentiment as that by them a hitherto unformed sentiment is aroused and vitalized and coördinated.

The Boston Chamber of Commerce, which I have the honor to represent, was among the first of the organizations in this country to take action upon this question. Under the inspiration of an address by Dr. Thomas Barclay, the great English promoter of arbitration, a meeting was held, resolutions adopted, and an influential permanent committee appointed. I regret to say that the resolutions made the reservations with regard to the submission to arbitration of questions involving territory and national honor to which our distinguished Chairman referred in his opening address. I suppose that was as far as they felt they could go. Personally, I should like to see the United States commit itself to the submission of all questions to settlement by the rules of justice laid down by a court of arbitration. Just why we should not relinquish territory to which we do not possess a just title I cannot conceive, and in what possible manner the honor of a nation can be sacrificed by the just settlement of any dispute is equally difficult to understand.

But our organization took a more important step. Under its auspices a Massachusetts committee of one hundred was organized, the active head of which, Hon. Henry E. Cobb, spoke to you yesterday. This committee has undertaken to secure prompt and vigorous action on this subject by every commercial organization in the Commonwealth. This will mean action by over one hundred bodies in Massachusetts alone.

A gentleman asked yesterday how we were going to reach our Congressmen. Do you not think it is safe to assume that our Massachusetts Congressmen will represent Massachusetts sentiment thus expressed? And the sentiment of the commercial bodies of Massachusetts I believe will be found to be the sentiment of similar organizations all over the country wherever this propaganda is carried. Why should it not be so? This country has, perhaps more than any other country, the largest stake in the uninterrupted trade of the world. In the half century since Commodore Perry's ships opened Japan to the world our trade has grown from \$400,000,000 to \$2,500,000,000, an increase of more than six hundred per cent, while during the same period the trade of the world had increased one hundred per cent. In the last thirty years we have moved as a selling or creditor nation from the fourth rank to the first rank, with exports of \$1,500,000,000 annually. Our increase during this period has been nearly as great as that of England, France and Germany combined. During the last five years our exports have increased more than fifty per cent.

The most significant figures of all are connected with our exports of manufactured goods, upon which the prosperity of the great masses of our people depends. We last year sold abroad nearly a million and a half dollars worth of manufactured goods every day in the year, an increase of three hundred per cent. in the decade. Is it any wonder that the nations of the Old World look with astonishment and with something akin to dismay upon this growing giant of the young West?

The United States simply cannot afford, as a mere matter of vulgar dollars and cents, to go to war, neither can it afford to have any one else go to war and thereby cut off its markets. Our export trade is the balance wheel of our industrial system. Were it destroyed tomorrow, or were it even seriously interrupted, we should be at once confronted with idle factories and workshops, with smokeless chimneys.

It is a practical question for practical business men.

No, Mr. Chairman, if we here in these United States are moved by no higher motives or touched by no loftier considerations, enlightened selfishness will compel us to oppose war and to seek the blessings of universal peace. [Applause.]

MR. A. FOSTER HIGGINS,

REPRESENTATIVE OF THE CHAMBER OF COMMERCE OF NEW YORK.

Mr. Smiley, Mr. Chairman, Ladies and Gentlemen: I confess to be not a little embarrassed by this five-minute rule, because I know that I cannot treat any branch of the subject with justice in that time.

The Chamber of Commerce of New York needs no one to tell you of its attitude upon all matters involving the welfare of mankind. It has always been among the first in every movement which is to relieve the sufferer, and in every movement which is to protect the commerce and the independence of our country.

At this moment I stand embarrassed because the Chamber of Commerce of New York has not taken any action as a body upon this subject. It sent its delegates to the meeting in January in Washington and received their reports with favor, but for reasons which at this moment I am unable to explain, no specific official action has been taken. We propose — the business men — to have some united action upon the subject as to what steps we will take next in trying to carry out the objects of this Conference, and it will be my duty and my pleasure to see that the Chamber of Commerce of New York takes a very prominent and active part in the future movements upon this subject.

For myself, I have felt the deepest interest in this subject. I came here last year and to me this whole Conference was a breath of heaven. I found here a spirit such as I have never experienced anywhere else in the world. I found men here with only one object in view, the great object of trying to avoid bloody collisions. My heart bleeds when I think of the sacrifices that are being made, perhaps at this very moment, in another part of our world,—when I think of the heroism with which those people hurl themselves into the face of death. I think that no heart can exist which does not feel a horror of it all and a wish that such things might be forever avoided.

I must confess that in the early part of our sessions I was a little shocked. I found myself arraigned as to whether I was consistent, whether if I were in favor of peace I should not be in favor of all peace and opposed to all wars, and that if that were not the case I stood liable to be arraigned as a hypocrite. Now there are wars and wars; there are wars which we cannot possibly avert. This world with its life is engaged in wars. I have put down a list of a few of the wars which are to-day prevalent in this world.

First there comes the war between governments. We are trying to adopt measures by which that will be in a great measure averted; that we shall be successful I have not the slightest doubt. I feel that God is with us, and that He will bring it about in His own wise way.

Next comes the war of race prejudice and enmity, something that, in its enormity and serious consequences, we don't realize to-day. It prevails in this United States to an extent which fills every thinking man with horror.

Next comes the great war between virtue and vice. It needs no word from me to comment upon this; we see it in every direction. We also know that there stands to-day a peril greater than that of any foreign war, the peril of a bloody collision between labor and capital. What can we do to avoid that? It needs the wisest thought and the most studious exertion on the part of every man who loves his country to avert what may prove as a result our downfall. To talk about doing away with force, with police, with armies, with the militia, is to invite the very identical things which we want to see averted. We all know perfectly well that, as mankind now is, law and order cannot exist unless there is a force back of it

to maintain it. In New York we have a mixture of peoples, many of whom have very little sense of their obligation to their country, and who think that liberty is license. Ignorance knows no way to accomplish its object save by violence. This should make us adopt measures by which every possible measure of riot shall be kept in suspense, until they can be educated to the fact that violence never can accomplish their objects.

MR. JOEL COOK,

PRESIDENT OF THE PHILADELPHIA BOARD OF TRADE.

Mr. Smiley and Mr. President: I want to begin my five minutes by joining with the distinguished chairman of our business men's committee, Mr. Kline, in bringing a message of peace and arbitration from our Quaker City of Brotherly Love to this body. The Trades League and the Board of Trade in Philadelphia are always together in good works there, and will be here and everywhere else where we can do good.

In our Quaker City we have a great many things, not only the reputation for quietness,—somnambulancy, some people call it,—but we also make a business of constructing some of those battle-ships which came very near getting into this Conference yesterday and disturbing it.

There has been for me, since I ventured so far away from that good city of ours, a matter of inquiry to find out how it is that our genial and most generous host in this magnificent place has devoted so much care and attention to this great task and most beneficent object. I have been delving into the original records of this locality, and find that, although we in Philadelphia think that William Penn was the man who made the first treaty, purchasing lands and creating a feeling of friendship with the Indians in the year 1682, the original French Huguenot settlers of this most beautiful region five years previously, in 1677, made their treaty and their purchase of these lands in the Mohonk hills where we now are. [Applause.] They bought the territory from the Indians and paid for it; they paid forty axes, forty kettles, I don't know how much woolen and other cloths, woolen goods, one keg of gunpowder, and I will mention also among other things, for the benefit of one of the most eloquent gentlemen who spoke this morning, four kegs of wine. There was the original inspiration in the first arbitration in these Moqnuck Hills, as they called it then, that evidently has given our genial host the inspiration that has led him to develop this magnificent principle here, which he has done so well, and I think is still doing so effectually.

Now there is one other thought that came to me. We have heard all about the Hague Tribunal; we have heard about the arbitration at Geneva which was described this morning as the high-water mark of the principle of arbitration. Did it ever strike you that that Hague

Tribunal was the result of what might be called the revulsion of feeling — I mean in the location of it — from the horrible history of war? Think of the Dutch waging war for all the centuries against their oppressors on land and against the encroachments of the sea. It was war of every kind, sort and description. Yet to-day by the universal consent and assent of the nations this beneficent tribunal of arbitration is located at The Hague, the capital of that country reclaimed from the sea and reclaimed from Spanish oppression.

Did it ever strike you that the Geneva award,— the Treaty of Washington in the year 1871 creating the tribunal that made it,— that that award was made in one of the most beautiful situations that ever the eye of man looked upon? As the poet has told us, when from the Quai du Mont Blanc he looked out upon the Alps in their gorgeousness, it was upon

“ The blue waters of the arrowy Rhone,
The calm bosom of its nursing lake.”

Did it ever strike you that the inspiration of those gorgeous surroundings of nature may have had much to do with the successful outcome of that arbitration?

Let me develop that thought for one minute. The inspiration from Geneva may have been the inspiration that has touched the heart of our genial host, and in this, one of the most magnificent scenes of nature in our own country, he has developed this Conference held year after year, which will go down to the coming ages, I think, as the successful promoter of the arbitration principle among the nations, with Mr. Smiley as the man who organized and carried it to success. [Applause.]

SAMUEL B. CAPEN,

MEMBER OF THE CHAMBER OF COMMERCE AND THE MERCHANTS'
ASSOCIATION OF BOSTON.

In speaking for Boston I am glad to report that our Chamber of Commerce already has a permanent committee on international arbitration. Last autumn, Mr. Wm. H. Lincoln, at that time president of the Chamber, called a special meeting and a committee was appointed with the Hon. Henry E. Cobb as its chairman. From this committee has grown a larger committee of a hundred, of which the Hon. Richard Olney is chairman, Hon. John D. Long, ex-Secretary of the Navy, is one of the vice-chairmen, and Hon. Henry E. Cobb is chairman of the executive committee. Their work, while limited at first to Massachusetts, is now expected practically to cover New England. It is interesting to report that Mr. Cobb, acting for that committee, sent out about two hundred and fifty letters to the most prominent business firms in our section, asking them with regard to their position in this matter. A vast majority of them replied promptly, and all but two were in favor of international arbitration. One gentleman declined to have his name used because he

was to leave the country; only one asked for longer time for consideration. I submit that the result of this canvass is most significant, as showing the unanimity of our business men in favor of arbitration in settling all international disputes. As Mr. Cobb told us yesterday morning, as soon as the Presidential election is over, their committee is to take very active steps in trying to make its influence felt at Washington.

What are the reasons for the increased interest of the business men of this country in this great question? In reply I would say:

First. It has been brought about by the effects of the *practical shrinkage of the world* the past few years. The railroad, the steamship, the telegraph and the cable have almost annihilated time and space and brought the parts of the world very close together. Every nation now is a neighbor to every other. A hundred years ago, the war that is now going on in the Far East might just as well have been carried on in the moon so far as any influence upon us here would have been exerted. We should have known nothing about it until months after it had broken out, and we should not know of its end until months after that event has occurred. But that day is past, and the interests of the world are so interlocked and interlaced that all our interests are common interests. There is no better illustration of this than what we saw at the time of the Boxer outbreak a few years ago. This was wholly confined to three provinces of China and lasted but three months, and yet the result was, that it so interfered with business in certain lines of cotton goods in this country that many of our mills were compelled to shut down. If it had continued, the mills in the South would have changed the class of goods they were manufacturing, making trouble thereby with the cotton industry in New England. If such a brief war as this, confined to so small a district, could work such disastrous consequences in the United States, what will be true if we have long wars embracing whole nations? The result will simply be disaster to the whole business world.

Second. Business men are beginning to realize that *war is a waste of the common assets of the world*. General Sherman's famous words that "war is hell" is the truth from the soldier's standpoint. That war is waste from the business standpoint, we have always known; but in the present oneness of the world waste anywhere is a loss felt everywhere. There is no better illustration of this than what we saw in the recent Baltimore fire, which burned up \$80,000,000 worth of property. Some men said it was a good thing, for it burned up old stocks of dry goods and turned them into cash. But what a short-sighted view this is! To say nothing about the loss to these business houses in the breaking up of their business, we are all beginning to see that the destruction of that property was a loss to the whole country. A large proportion of it came out of the surplus of the insurance companies, weakening them to that extent, giving us all a smaller safeguard in case of other fires, and making a necessity perhaps for increased rates. On the same principle, the present

war, with its expenditure and waste of several million dollars a day, must necessarily increase the taxes in both Russia and Japan, and reduce the ability of the people to purchase from us.

Third. There has been a very great growth in the foreign trade of the United States, which trade is to be greatly increased in the years to come. The splendid diplomacy of Secretary Hay, as representing the administrations of both President McKinley and President Roosevelt, has made us friends in all the world. We have treated other nations fairly in every way, and they are therefore eager to buy of us. We see this illustrated in the case of our exports to Japan, which increased from three and a half millions in 1893 to nearly twenty-one millions in 1903. Before President James J. Hill built his great steamships which are to sail from Puget Sound to the Orient, he gathered together a group of his friends, asking them if they knew what the exports from the United States would be to China if its people should purchase of us an average of only one cent per day. On their replying in the negative, he told them that it would amount to \$1,460,000,000. This seems like a fabulous sum, and yet if our business with China should increase only one-half of what our trade has with Japan during the past fifteen years, it would amount to this one and a half billions of dollars! It is just such facts as these that are arousing the business men of this country to see the importance of international arbitration.

As suggested above, our steamships and our cables have been weaving the world together and making us, as never before, one world. We have had for years the religious and philanthropic interests of this nation pledged to this great work. Let our business men take their share now in the movement, and with this trinity of forces we shall be sure to conquer.

MR. EUGENE LEVERING,

OF THE BALTIMORE BOARD OF TRADE.

Mr. Chairman, Ladies and Gentlemen: I am pleased to appear before you this evening as a representative of the Baltimore Board of Trade, the oldest commercial organization of our city, in fact, one of the oldest of the country.

I am pleased, in the first place, because I find that Baltimore has a place in the printed list of the cities of our land whose business organizations have responded favorably with some kind of action in answer to the circular letter addressed to business men, issued a year or more ago by a committee representing this Conference.

I am pleased, again, because I stand before you as a regularly accredited representative from a business organization in Baltimore, a city which, whilst in the very midst of most trying experiences, second only perhaps to those of actual war itself, was willing to refuse all outside aid, so freely proffered, assuming all the burden itself, and a city

which, though it has by no means emerged, as yet, from these experiences, is not so immersed in the taking care of its own burdens as to make its business men unmindful of the call for representation in such a gathering as this, whose object is to lessen the woes and lighten the burdens of others.

I am pleased, again, because I feel that the present efforts on the part of this Conference to awaken the interest of our business men in this great cause of international arbitration is not only very timely, but probably the most important work in which the Conference can now engage.

There is room here for a large and persistent work. Too many do not look with favor upon any kind of arbitration. If they have a cause against a neighbor they apparently prefer to fight it out in the courts rather than by accepting the principle of arbitration to acknowledge that by any possibility they may be in error in their contention.

Some fifteen or twenty years ago our Baltimore Board of Trade established a court of arbitration under legislative sanction, over which an eminent jurist has been called to preside from year to year. But I think I am correct in saying that there have not been over half a dozen, if that many, cases submitted to said court during all these years.

The people everywhere need education as to the principle involved in arbitration. And then the business men of the country need to be continually reminded as to the latent power they possess in moulding congressional opinion and action: we have too many illustrations on our statute books not to know what this power when once aroused can accomplish. Hence, when our business men, whose interests are always conserved by peace, begin to realize that after all, down at the bottom, they, as the intelligent representative voters of the country, do not want war, then we can rest assured that no Congress, however belligerent, no President, however strenuous, will precipitate one.

And then, Mr. Chairman, I am pleased to be here because of what I have heard and felt during these past two days. This is my first attendance upon these Conferences. I came as a novice; I came to receive and to be inspired, rather than to impart or to inspire, and my expectations have been more than realized. I was particularly interested in the report given by Mr. Trueblood as to the progress of the cause of international arbitration during the past twelve months, and who that listened to the story of the peace making possibilities involved in the conception and already partial realization of an intercontinental railway, as told by Mr. Pepper last evening, did not feel quickened in his confidence of the ultimate triumph of the cause of international arbitration and universal peace among the nations of the world?

With such results already witnessed as the earnest of greater things yet to come, with the fresh impetus and inspiration which the cause will receive from this tenth annual session of the Lake Mohonk Conference, is it too much to expect, too much to hope for, too much to pray for, that ere the eleventh annual conference shall

commence in this place one year hence, an Anglo-American treaty, so longed for by the friends of peace on both sides of the water, and so vitally necessary if we are to expect the other nations of the world to accept the peaceful principle of arbitration, shall have become an historic fact?

One word more. Our attention this morning was called to these flags behind me. They speak for themselves. They tell their own story. But when I heard that these very flags were on their way to The Hague to be hung in that noble edifice, the fitting home for all time for the Hague Tribunal, and when I noticed hanging over both these flags, the English and the American, that motto, "Peace for all nations," — not peace in all nations, for that might mean simply internal peace, not peace with all nations, for that might mean with all nations, peace as far as England and America were concerned, but peace for all nations,— I felt how possibly prophetic this motto may prove to be. For when that day comes that England and America, united by the bond of a wise, just and potent treaty, and supported by the moral backing of the Hague Tribunal, shall say to the world in the words of this motto, "Peace for all nations," there will be peace. May God hasten the day!

MR. A. B. FARQUHAR,

OF THE NATIONAL ASSOCIATION OF MANUFACTURERS OF THE
UNITED STATES.

Mr. Chairman, Ladies and Gentlemen: I attended the arbitration meeting in Washington as the representative of the National Association of Manufacturers, and the work there was endorsed by the convention in Pittsburgh; hence we are entitled to appear on the Roll of Honor which has just been read. I have reduced what I have to say to writing, but of course, for lack of time, will only use a portion of it.

The National Association of Manufacturers,—believed to be at this time the greatest business organization in the world,—by accepting an invitation to be represented at the arbitration conference in Washington last January, showed not only an interest in your cause, but a will to advance it. The association acted, as usual, suitably and rightly, for the manufacturing interest ought unitedly and heartily to be enlisted in the movement. To every citizen of the Union it is important to substitute pacific methods and international law for warfare and preparations for war, but to manufacturers it is peculiarly so. Some of us can make a comfortable profit from government contracts doubtless, and a few others can gain more from increased prices of goods sold than is lost on materials bought; but as a rule our prosperity or adversity is a reflection of the prosperity or adversity of our customers, the great public, and we suffer by any cause that makes our fellow-citizens

less capable of spending. Where much is wasted, many may find a chance to realize something, yet the rule is that waste makes want and that want cuts down demand. People buy when taxes are low and risks are small; they try to save all they can when pinched by the exactions of war expenditures, and when life and property are imperiled. Let those who will, then, deride the move to replace hostilities by peaceful settlement of misunderstandings as impracticable; the thoughtful man of business knows that nothing is more truly practicable.

It is because I know your reform to be, in the truest sense, practical, that I am here to do what is in my power to encourage it. The opposition relies on sneers, not arguments; no one dares to come out openly against arbitration, and thus be met, overcome and disarmed in fair encounter, but, like the famous lawyer whose rule when he had "no case" was to "abuse the plaintiff's attorney," our antagonists pay more attention to us than to our cause. Who is there, whose opinion is worth noticing, who fails to acknowledge the superiority of arbitration to arms? It is safe to say, none; and yet there are many who will do nothing to establish the better method because they profess to fear that somebody else is going to refuse to follow it. This is the spirit of the priests of the Middle Ages, who never shed blood themselves, but, when they had a victim to dispose of, simply withdrew from him the protection of the church and "turned him over to the secular arm"; or of the strike leaders, who claim that deeds of violence against non-unionists are not done by strikers themselves, but by some conveniently unidentifiable "sympathizers"; or of some whom we knew half a century ago, who insisted that the growing hostility between the sections was due not to slavery, but to "the unnecessary agitation of the slavery question"; or, in some degree, of everybody everywhere who persuades himself that somebody else, somewhere else, must make the beginning when a needed reform is to be introduced. I do not regard this spirit as practical. The practical advice to every nation and every citizen is that coming to him in the words of the prophet of old, "Thou art the man!" If there is a call to any people on earth to work for the prevalence of universal arbitration, that call is to us as Americans, to us as individuals.

We are often reminded of the conspicuous part already played by this country in international arbitrations, as if that furnished a reason for resting on our oars, and letting others do the pulling hereafter. Good—I rejoice in everything in this line that my country has done, and honor her for having seen her duty so clearly. This is the very land that the initiative ought to have come from; and it is also, permit me to add, the very land best fitted to stand in the vanguard of the movement hereafter. Who could better lead than a people whose power is recognized as matchless, whose resources are inexhaustible, whose readiness and alertness are an unfailing defense, making them completely secure against aggression from without so long as union and concord continue within? What

other nation can point, as we, to the magnificently successful operation of a tribunal in her own territory, which has for more than a century done the work of the precise kind demanded of an international arbitration tribunal, as proof that an equal success is possible in the adjudication of cases under the law of nations? The country that has evolved and sustained our Federal Supreme Court ought to lead and not follow. Moreover, we have no hereditary national enemies or antipathies, as have France and Germany, England and Russia. The composite character of our population, made up of every people in Europe, gives us a representative position especially suited to leadership. We can appeal to the nations as to our kindred, on whom any attack would be like an invasion of our own household.

There is much more that we can do for the triumph of our cause than merely to say we approve it. As much as that do many people who are practically against it. What we can do is to act as if we believed in it — as if we trusted it. Arbitration will never, we may be perfectly assured, become the accepted solution of international questions while the nations are showing by their daily conduct that they are really looking beyond it to something else as the final resort. The inseparable accompaniment of arbitration is disarmament. Huge standing armies, frowning fortifications, mammoth war vessels, all the apparatus, so costly and at the same time so useless for any but destructive purposes, it is these that a genuine trust in a reasonable settlement of the nations' differences would speedily render obsolete. And that is the very move in which our own country could most fittingly lead the way. Unrivalled in resources, as already shown, we are at the same time most remote from imaginable aggressors, most inaccessible to possible attack. No foreign power could reach our shores in any strength unless after long delay, nor make a hostile landing with reasonable expectations of escaping in safety. Preparations for warfare are therefore particularly absurd, with us — would be so even if they were effective when made. But our forts, on which there was such confident reliance a generation ago, are now unanimously voted no defense at all against modern heavy artillery, while vessels of war are notoriously short-lived, the doughty "leviathans of the deep" and "wooden walls" of a past generation being helpless before the "monitors" of the next, these being cast aside with contempt for vessels of the type so popular and made in such abundance during the last decade; these last to be superseded in like manner by some fresh contrivance, unless they should be wrecked on rocks or sandbars or blown to pieces by mines and torpedoes before said contrivance is perfected. From a business point of view, a worse investment than a modern war vessel would be hard to find. And, since the events of the last few months have shown the ease with which they can be blown into nothing, the absurdity of throwing away millions of dollars on such clumsy toys should not need to be proved to a nation distinguished for sturdy practical common sense.

But the worst of these war preparations is not their cost,—though \$150,000,000 a year, by a country needing no such defense, is no small sum to squander,—nor even the worthlessness of the product when procured; it is the evidence they give that our protestations of peaceful disposition are not to be taken at face value. Many weaker nations share our continent with us, and how can we prevent them from asking: What mean these forts and men-of-war, for which the United States are spending so much money? There is no power so mad as to think of attacking them, so that it is absurd to suppose that all this preparation is for defense; for what purpose can it be, then, but to aid or cover aggressive warfare? What object could it have but to oppress—or at least to intimidate—us? It is perfectly well known that to most of our citizens—it might almost be said, to all—the use of force to oppress or intimidate other American nations would be utterly repulsive; to us nothing could be clearer or less in need of proof or explanation; but we cannot be surprised to find other countries less incapable of misunderstanding our intention, particularly when we give them what they cannot but regard as ground for suspicion. By cutting off a large part of the sums yearly lavished on navy, army and fortifications, the country could better develop its resources and discharge its debts, and at the same time give evidence of its peaceful intentions toward all the world—of its not merely favoring international arbitration, but trusting it.

But I am going perhaps too far. However convinced I may be, in my own mind, that our plan involves ultimate national disarmament as its logical accompaniment, I do not propose immediately to sell all naval vessels for old junk and disband every army. Between such a course and what I have in view—calling a halt and an about-face from our mad rush to the front, in the competition of nations to see which can squander most of its people's treasure in armaments, and substituting for this a wise and sober moderation—every rational mind will see a wide difference. A small army may continue to be needed to preserve the peace in case of local disorder; a few war vessels may properly find occasional use in dealing with the less civilized foreign governments; but for these purposes our demands are not large, and should not be exploited as though they were. Nor do I forget that the arbitration conference last January confined itself to asking for a few treaties under which cases of disagreement should be referred, normally, promptly and smoothly, to the Hague Tribunal. That is very little to ask; that little is altogether in accordance with the course of our country in being represented at the Hague Conference, and in contributing as we did to the conclusions of that Conference; and we should not cease from our efforts until this modest demand is granted. One step taken, our further progress will naturally be determined by its results.

MR. THOMAS F. MAIN,

OF THE BOARD OF TRADE AND TRANSPORTATION OF NEW YORK.

Mr. Smiley, Mr. President, Ladies and Gentlemen: I want to say, first, that I do not officially represent the New York Board of Trade and Transportation, but as a member of that Board what I have to say will simply be in the nature of a report of progress, for progress has been made and action has been taken by our body notwithstanding the fact that I did not hear the name of the New York Board of Trade and Transportation read on the Roll of Honor.

Towards the end of April this year, inspired undoubtedly by the meetings of this Conference, resolutions were presented by the Hon. Oscar S. Strauss, who is now the President of the Board, to a meeting of the New York Board of Trade and Transportation. Those resolutions were unanimously adopted, and included completely, I think, the substance of the Platform adopted by this Conference at its last meeting. These resolutions respectfully requested our government to perfect negotiations with Great Britain for a treaty of arbitration as comprehensive in its scope as practical for the reference of questions which have failed of adjustment by diplomacy to the Hague Tribunal, and that thereafter, or simultaneously therewith, similar treaties be negotiated with other powers.

As I said just now, the resolutions were unanimously adopted, and copies were sent to the President of the United States, the Secretary of State, the Chairman of the Senate Committee on Foreign Relations, the Chairman of the House Committee on Foreign Relations, the two Senators for New York State and to the British Ambassador. From all of these parties acknowledgments were received, and the Hon. John Hay, Secretary of State, stated in his reply that he had taken the matter up with the President, and that it would receive careful consideration in due time.

It has been stated that the Senate of the United States stands ready to pass an arbitration treaty as soon as the public opinion of the country demands it. I venture to say that, after the influence of man upon man, the quickest way to bring this public opinion in support of the principle of arbitration to the attention of the Senate and the House of Representatives is through the organized trade bodies of this country. I think the work being done by the Secretary of this Conference, and the work reported as now being carried on by the Boston Chamber of Commerce, will in the very near future produce the results that we all so much desire. [Applause.]

PROF. JOHN H. GRAY,

PROFESSOR OF ECONOMICS IN THE NORTHWESTERN UNIVERSITY.

Mr. Smiley, Mr. President, Ladies and Gentlemen: When our far-sighted and patriotic host invited me here I supposed that I was to come as a sort of kindergarten learner, and was to sit at the feet of

these distinguished people. The Business Men's Association this afternoon did me the honor to invite me to say a word, and I rejoice in the opportunity to speak for Chicago and the Mississippi Valley.

You have heard the answer of the Boston man when approached by a newcomer to Boston and asked whether the Boston men were inclined to form cliques: "Every Boston man is born a clique." Now, if you should take the census returns of Chicago you would find that every resident of Chicago was born a clique, there are so many differences of language, race, religion and color. Yet I will venture to say, if I may assume to speak for the residents of the Mississippi Valley,—the largest group in number of people speaking the English tongue under any flag,—that, in view of the caste and class distinctions in the Old Country, I speak for the most homogeneous people in any nation.

Now, I am a doctrinaire, I am a dreamer; in fact, I have an idea that we here are all dreamers, but I am impressed with the idea that every age has its successive type of man held up to the children. In the earlier days of our nation it was the type of the statesmen, I need not name them; then came the Civil War and the military hero; then came the mere shadow of a literary hero; and then came the business man. I think if I had time I could show you that the business man, however often he may be engaged in pursuits that the dreamer disapproves, is no less patriotic than the dreamers before me. He may be so close to things that his vision is somewhat obscured, but give him the vision and he is the only type of man who can get things done.

There are enough business men in this audience to go home and approach their business associates and set those business associates on fire, and then we shall have a universal state of affairs such as that described in the beautiful story that Dr. Hale told of the late Mr. Holls,—we shall have the business men electrifying the whole community, and then we shall have from every township and hamlet and metropolis in this country the cry going up to Washington, "International arbitration is a good thing, and we expect you to bring it to pass." Then the Senate will proceed in a great hurry to say that they were always in favor of arbitration, and all the candidates will be coming along and saying that they were always the original arbitration men. All you have to do is to have the vision and hold the vision up, and then the people will come in.

I want to say for the foreign-born population of Chicago, as for all the American citizens, that I know they want to do the fair thing. Give them decent facts on which to form their judgment, and they have soundness of sense enough to know what the right thing is. [Applause.] There is no foreign ward of Chicago whose language I can speak that I cannot go down to, and if I can make them believe that what I want them to do is the right thing, they will do it.

That metropolitan, cosmopolitan population has learned pretty well to live together, and that is the first step in successful government anywhere, and successful democracy. The man who is not

willing to appeal to the democracy will not make a success of this work. If we want international arbitration, the only sort of an arbitration treaty that will ever be lived up to, the only sort that the Senate will ever endorse, we have got to base on the consensus of public opinion in this country, and the press is ready to support it whenever you give them the vision. [Applause.]

MR. FREDERICK H. JACKSON,

PRESIDENT OF THE CHAMBER OF COMMERCE OF PROVIDENCE, R. I.

Mr. Smiley, Mr. Chairman, Ladies and Gentlemen; You may have noticed during your lives that the smaller a man is, the higher heels he has to wear on his shoes, the straighter he has to stand, in order to be seen; and as I represent the smallest State in the Union, the State of Rhode Island and Providence Plantations, I wish to make a claim here, and if I am wrong in my figures I expect Judge Stiness will correct me or else out of kindness will let it pass unnoticed.

Both Philadelphia and the Mohonk valley have claimed to have furnished the first Apostle of Peace. I wish to say that Roger Williams [applause] in 1636 made the first treaty of peace with the American Indians. He did another thing that we have not been so thankful for in Rhode Island, and that is, when he crossed the Seekonk he carried with him an individualism and a conservatism that have lasted till this day. Notwithstanding that, in the city of Providence, which contains half the population of the State of Rhode Island, we have a Chamber of Commerce containing one thousand members. Among those members are all our representatives in Congress, Senators and Congressmen; the President of Brown University, who is here, is one of our most loyal and enthusiastic members. The members of all the professions are represented there. Providence is the richest city per capita in the United States; we are rich in the wealth of industry, and those industries are all represented in our Chamber of Commerce.

It seems to me that the duty of a Chamber of Commerce in any community is to stand for the best in that community as regards its ethical and municipal welfare, as well as its business interests. In regard to this matter of arbitration, I wish to say that I believe that if the officers and members of the various Chambers of Commerce and Boards of Trade in the United States would make arbitration and universal disarmament a subject of interest to themselves, the country would be wondering where this influence came from,—but it would be felt.

If you will pardon a personal matter I will give you my reason for believing this. I do not know how many times I have been told by the members of our own Legislature in Rhode Island that certain matters that pertained to the interest of the entire State were finally decided by a vote and a petition passed by the Chamber of Commerce and presented to the Legislature. I believe that all our business bodies can do that.

I wish to emphasize this in addition to what has already been said. If those who are here representing these business organizations will go home and by their own work and through the work of all whom they can interest take up this matter, we can do more good for the cause than any of us imagine. [Applause.]

MR. ALBERT B. CHANDLER,

PRESIDENT OF THE POSTAL TELEGRAPH-CABLE CO., NEW YORK, N. Y.

Mr. President, Ladies and Gentlemen: When I came here I had not the least expectation or suspicion that I would be invited to say anything, but at dinner this evening I was informed that by the nature of my business it would be fitting that I should say a few words.

In such a presence as this I have not dared to say out of my head what I might have in my mind, for the reason that I am not accustomed to public speaking. So I read my remarks.

It has been well said here in connection with the Pan-American Railway scheme that railway communication tends to bring the people of our nation, and of all the nations, into closer relations and better acquaintance, and that the effect of this is to promote peace and friendliness. I think this is true also of the telegraph as well as of the railway, and it is to the operation, development and extension of the telegraph and submarine cable service that my business life has been devoted. I have been exceedingly interested in, and instructed by, the proceedings of this most notable Conference, and I earnestly hope that it will result in the adoption of specific and well-defined measures looking to action by the United States government in support of the grand objects sought to be attained by this Conference. I am sure that I may properly pledge the coöperation of the telegraph and cable interests to such movement, out of which, when finally consummated by the world powers, benefits would surely accrue to all mankind beyond all power of words to tell.

MR. WILLIAM B. JONES,

SECRETARY OF THE ALBANY CHAMBER OF COMMERCE.

I am not going to say to you to-night that the Albany Chamber of Commerce believes in international arbitration, but because we do we have adopted resolutions asking that a treaty of peace between the United States and Great Britain be framed as soon as possible.

It seems to me that one of the practical things that can come from this Conference gathered here at Mohonk is that of interesting the business bodies of the different states in international arbitration. And the question arises here as to how you can get that interest aroused. As a secretary of a Chamber of Commerce, I have coming

into my office an average of fifteen or twenty letters a month asking our organization to adopt resolutions of all kinds, good, bad and indifferent—the majority of them bad. The very hardest thing to do is to get a body of business men to adopt resolutions or even to consider the application for resolutions. Now how can we do it?

It seems to me that a practical method might be the appointment by this Conference of a small sub-committee that shall have in charge the work of presenting this matter to the Boards of Trade and Chambers of Commerce, not asking them to adopt resolutions at first, but asking them to read and study and listen, and become interested in this wonderful subject.

Every Board of Trade and Chamber of Commerce holds possibly four public meetings every year. Why not have a list of speakers in the hands of this Committee and arrange with every Board of Trade and every Chamber of Commerce that we possibly can, to hold a big, rousing gathering during the coming year, at which one of those speakers shall address them on the benefits to be derived by the business men of the country from international arbitration? If you will do that I promise you that we will have such a meeting in Albany. Then come on with your resolutions and there will be no difficulty in adopting them.

I want to close with a story; it is illustrative of the principles of these gatherings, and also prophetic. It was just after the Civil War, and they were having in one of the country villages a commemorative fireworks display. The great sky rockets had been shot off, the Roman candles had wasted themselves, and just one set piece remained to be burned, and then all was to be over. On the hillside there stood a mother wearing the long black veil,—which marked her a widow of a soldier who served in that great war,—and by her side a little boy. They watched and saw the man as he touched a match to the corner of that set piece. Then there came a great number of ivy leaves, as it were, until they formed a perfect wreath of ivy, and then there seemed to spring out into the centre of it little silver stars, filling in that wreath with their brightness and their beauty. And then there came one word in letters of gold across the centre of it all. After a while the ivy leaves withered away and the stars burned out, and just one word stood out there, burning brighter and brighter in the darkness. The little boy looked up to his mother and said, “Mother, why does not the name go out?” And she said, “My son, the name of Washington will never go out.” And so it seems to me as I stand here to-night and look over in my mind the intervening space, and see the ivy wreath of victory and the stars that shine upon it, I can see them all fading away, and can see sometime, somewhere, standing out one word,—the word for which in its truest meaning this Conference stands,—the word of “Universal Peace.” [Applause.]

MR. ALEXANDER W. DICKSON,

EX-PRESIDENT OF THE BOARD OF TRADE OF SCRANTON, PA.

Mr. Smiley, Mr. Chairman, Ladies and Gentlemen: As you were, so was I, interested in the first report we heard to-night, the report of the Secretary detailing the large number of favorable responses to the invitation of this Mohonk Conference to take action in regard to international arbitration. But much to my sorrow, and I have no doubt to the disappointment of our good host, a good many of them took no action whatever, absolutely ignoring or forgetting. Give them time, they will come by and by, — which reminds me of a story of an Irishman to whom a friend complained because of his slowness and general lack of promptitude. He said, "I can't help it, I was born that way. I think if I had been Lazarus and had been told to come forth, I'd a' come fifth." [Laughter.]

I come here as a representative of the Scranton Board of Trade, but I did not sink my individuality when I took the position of their delegate. Like the good Democratic statesmen from New York, I am entirely uninstructed, and stand here on my feet with my own opinions.

I trust, my dear friends, the time will never come in the United States of America when our boys will be told to neglect the Fourth of July, or to cease to be proud of the Revolutionary War. I trust the time will never come when an old soldier walking along the street will not receive the benediction and the honor of the American people for what he has done for you and me. [Applause.] But, friends, what has that got to do with international arbitration? I believe in international arbitration, and I also believe in a commanding navy, and in a magnificent army. I'd like to know what influence you would have with England talking arbitration if you were a poor, little thirty-cent government. The great empire of Great Britain only honors those who are able to take care of themselves, and when any nation is big enough, and has a navy large enough, and has an army potent enough to stand up for her rights, or to take anything from Great Britain, Great Britain will give her all she wants.

Now, we want international arbitration first with Great Britain. She is the most glorious nation next to the United States in the world, and she is all the more glorious because she gave us the United States. The majority of us came out of her loins. She has done a great work, if she had done nothing else in all the world than to plant these colonies; and when we got big enough to get away from her we did it, and we did it in good shape. [Laughter.] There is nothing that we have to be sorrowful about or ashamed about in any war that we had with England.

Then there is another thing, and that is, that there are none of us who are consistent. When I think of this I am always reminded of the clergyman who said that there is not any being in the universe

that is consistent, except God, who knows everything, and a fool, who knows nothing. [Laughter.] Now, we are neither one; we are just ordinary kind of people, and we are inconsistent. And that is the reason I say I believe in a great standing army and a great navy, and yet believe in arbitration.

I come from Scranton. Scranton is memorable for the tremendous coal strike, and it was honored by having that splendid arbitration commission of which our Chairman was the honored head. [Applause.] A good many of our people looked askance at that thing; they would not say arbitration when it was spoken of, but I tell you, thank God it was arbitration! Certain forces and classes were brought together there on a common level; they came together and it gave us industrial peace.

It was a splendid thing; you people did not freeze to death, some of you, because of that arbitration commission. [Laughter.] I tell you it was no laughing matter, and Scranton has gained a better preëminence because of the sittings of that Commission. We were glad they came there, and we were glad for the work they did. That has given an impetus to internal arbitration, which must have precedence of international arbitration. It is after we have got together at home that we can talk to others abroad. [Applause.]

W. A. MAHONY,

OF THE BOARD OF TRADE OF COLUMBUS, OHIO.

One of the newest members of the large family of Mr. Smiley's admirers, I come as delegate from the Board of Trade of Columbus, Ohio. Being the only delegate from that body, hence the only one that can be called upon to speak for it, let me briefly tell how I became interested.

I had never attended a conference on international arbitration. I had no clear idea of how such a conference looked or behaved, but was sure from what I had heard of Mr. Smiley that anything under his supervision would look and behave all right. I am not only not disappointed, but I am greatly honored in being permitted the privileges of this Conference.

Now that my heart is won to the cause, and the people who advocate arbitration, the question arises, "What can I do as a business man among business men to inform them of and win them to a support and advocacy of arbitration?"

Some months since, on receiving the circular "Why Business Men Should Promote International Arbitration," I sent copies to the President and Directors of our Columbus Board of Trade, together with a letter endorsing the circular. The circular was duly considered and its recommendations approved, and I was authorized to represent the Board at this meeting. Our Board of Trade is composed of over one thousand members, who represent the business

and professional life of our city of about one hundred and fifty thousand inhabitants.

What can I do to more thoroughly arouse the interest of my fellow-members of our local Board in arbitration? I can tell them of this meeting; I can distribute the literature on arbitration. I can attempt to have a committee on international arbitration formed by the Board.

What is necessary to be done to have our government propose to the government of Great Britain a treaty providing that all questions which cannot be settled by diplomacy shall be referred to an international tribunal? I am informed that such a treaty must originate in the office of the Secretary of State, by authority of, and with the approval of, the President of the United States, and that such treaty does not become the act of our government until ratified by the Senate of the United States. Would the President propose or would the Senate ratify such a treaty in advance of public sentiment? Probably not. Would the President and Senate propose and ratify such a treaty if they knew the majority of our people wished such a treaty? I think they would.

Then how shall we arouse public sentiment, and let those in power know our wishes? First, by carrying to our homes the uplift and inspiration of this Mohonk Conference; second, by earnest efforts on our own parts to interest our fellow-members and show them the advantages secured by arbitration; and, third, by influencing our local Boards of Trade or Chambers of Commerce to prepare their own circulars on the desirability of arbitration and international courts, and send them out with their own official endorsement to all other commercial bodies of the United States, with the purpose of having as many as possible of these commercial bodies request the President and Senators to do all in their power to speedily establish a treaty of international arbitration between the governments of Great Britain and the United States, and to establish, at least for these two great nations, a high court, or, if you please, a Supreme Court of these two nations, somewhat similar to the Supreme Court of the United States, a court which would be wise and just, and whose decisions would be respected by these two foremost nations of the world.

GENERAL CHARLES H. HOWARD,

PUBLISHER OF "THE FARM, FIELD AND FIRESIDE," CHICAGO.

I cannot say that I represent any organization, any board of trade, but, coming from Chicago, it was thought that we ought to have a voice from that direction.

I have learned some things in every Conference here; I have learned some things from Mr. Smiley and from the way he has conducted these Conferences, a number of which I have attended in years past. One is not to be frightened at diversity of opinion.

Some of the people yesterday thought that there was a mistake made because we heard so much that was conflicting. Brother Smiley has taught us to bring out these differences and to adjust them, and to give a resultant which will go out to the world as a unity. There is greater strength from a unity which comes from such combined diversity than from any other source.

I have these conflicting elements in myself. I would not want anybody to call me "Dr. Jekyll and Mr. Hyde," still I believe there are about three of that sort of personalities conflicting within me. One comes from my having been seven years in the army, in that conflict of the Civil War, and I sympathize with those gentlemen who were so quick to get on their feet when opposition was made to the increase of the army and navy. We could not have any international arbitration, or anything else international, if we did not have a nation; and we feel that the nation means something to us, and that the authority of the nation means something, and always will mean something, and that there must be some power besides the moral power, besides the intellectual power, besides the power of a united public sentiment even, which shall be the sanction of all our measures.

But public opinion is a mighty force in our country. I am a publisher, a business man for thirty-one years in Chicago, and as such I wish to endorse what has been said by the representative business men to-night.

I am an editor also, and Professor Moore gave me a suggestion in his address. One or two of the speakers thought we ought not to manufacture public sentiment, but Professor Moore says, "Make it, educate and encourage it." Well, what is the editor for, what is our press for, if not to lead out, to educate, to encourage, to develop, to manufacture (if need be) public sentiment? It is public sentiment which is going to rule this country, and we need, every one of us, to do our part to make that public sentiment in favor of justice and right. And that is at the bottom of what this Conference is for. Arbitration is a better method of securing justice. War does not by any means bring a just settlement of differences.

I want to ask you to do something practical for the arbitration treaty with England. A lady yesterday, Mrs. Mead, spoke eloquently, from her point of view, as to what we should do. I want to ask you to do something about the United States Senate. We speak the name with reverence. I do not want to hear it said here that the United States Senators are moved and compelled merely by what they hear from their constituency. I don't believe in that doctrine. I believe that those men are thoughtful, judicious, considering the great interests of this nation. I believe that it was providential that the Anglo-American Treaty did not go through as it was. We want a better treaty. To be sure, we may have that word "vital" in it; we must save the life of the nation and of every nation, but after that we want all the rest swept away. I would ask every one here who knows well a United States Senator to write to that Senator

about this thing. Do not necessarily send resolutions, and never imply that you expect him to do this from a political motive, but because it is right and just.

I simply want to add that I think one of the best documents that we as editors can use, and which I mean to use, is the proceedings of this Conference, that which our honored President has said, and Professor Moore has said, and many others here. Those addresses show a difference of feeling; they show that some of us believe in a government that is a government, and that can send its navy to Tangier to protect a citizen of the United States, so that the citizen of the United States, like the old citizen of Rome, has the right of a king. I believe in such a navy; we could not send it to protect our citizens abroad if we did not have it. I believe, too, in the necessity for the army in another office, such as we had need of in Chicago. We had trouble, destruction of property, and bloodshed in Chicago; the police were powerless, helpless; we could not reach our militia because our Governor did not agree with the Mayor in regard to the matter, and we had need to call upon the government of the United States, and the regular army came there,—a piece of artillery or two and a few soldiers marching in order in disciplined ranks and with the power of the United States behind them. What was the result? Was it war? No, it was peace.

MR. WOODRUFF: Mr. Chairman, I understand that you have completed your list of speakers, and before the meeting adjourns I would say to the Conference that Judge Gray is himself the chosen representative of the Wilmington Board of Trade. Then the Board of Trade of Philadelphia should be added to the other four Boards having a committee on arbitration, and I hold in my hand the first result of their work.

I also have here the action of the New York Board of Trade and Transportation, with the letters that have been received in reply to it, showing the favorable attitude at least of the New York Senators on the subject upon which they treat, and I may say it is the Mohonk Platform in essence. It shows what can be done by a good organization doing a good piece of work.

MR. CHARLES HENRY BUTLER: I desire simply to offer a resolution for the purpose of having it referred to the Business Committee for what action they see fit. I will also submit to the Business Committee the message of Mr. McKinley which is referred to in that resolution. The resolution is as follows:

Resolved, that this Conference endorses the sentiments expressed by President McKinley in his annual message of 1898, and reiterated by President Roosevelt in his annual message of 1903, in favor of the exemption of unoffending private property at sea from capture during war; and, as such a rule would tend to minimize and alleviate the disastrous consequences of war,

Resolved, that the President of this Conference appoint a committee of three to prepare and present to the President of the United States, the Secretary of State, and both Houses of Congress, a memorial urging that an international congress be called to consider this question, with a view to incorporating into the

permanent law of civilized nations the principle of the exemption of all unoffending private property at sea, not contraband of war, from capture or destruction by belligerent powers; and further, that this Congress be requested to consider the adoption of a code of rules for the general conduct of warfare upon the sea.

MR. JOHN B. GARRETT: As we have been listening this evening to our business men, and they have all agreed in one thing, that there was a duty before them, I have felt that there was a practical suggestion for them in this line. There is scarcely any more educating publication bearing upon this subject than the proceedings of the Mohonk Conferences of the past. I am convinced from what we have heard yesterday and to-day that the proceedings of this Conference will be even more rich in arguments and convincing facts than any that have preceded it. The limitation upon the circulation of that Report is simply a financial one. We have been asked to raise \$2,000 for the printing and circulation of the Report. I believe that no one of these business men can go to their Association and ask an appropriation of from \$50 to \$100 for the circulation of such reports without its being granted with cheerfulness. I apprehend that every such dollar will procure at least four copies of the Report. I don't know that any price has been placed on them, but I should imagine that would be about the cost of their printing and circulation.

MR. FREDERICK H. JACKSON: As President of the Providence Chamber of Commerce, I wish to say that we passed resolutions regarding the meeting in Washington last January, and that our two members of Congress and Dr. Faunce, who is here, and Mr. Stephen O. Edward, one of our leading lawyers, were the delegates to that Conference.

DR. TRUEBLOOD: May I say to the Boards of Trade and Chambers of Commerce represented here, that after the usual edition of ten thousand copies of the Report of the Conference is printed, we can furnish — if the Report is not larger than usual — supplementary editions for about \$40 per thousand. Mr. Kline one year ordered a thousand copies for distribution in Philadelphia, and the cost was something over \$40. If several business organizations would order a thousand copies each, I think we could furnish them for about four cents a copy, or \$40 per thousand, or at the most five cents per copy.

The Conference then adjourned.

Fifth Session.

Friday Morning, June 3, 1904.

Mr. Clinton Rogers Woodruff, the Secretary of the Conference, having been obliged to leave Mohonk, the Hon. Samuel B. Capen, of Boston was called to act as Secretary during the remainder of the Conference.

This session consisted of the presentation of the Platform by the Hon. John I. Gilbert, and its adoption was seconded by the Hon. H. B. F. Macfarland. Others who spoke on the Platform were Rev. James H. Ross, Hon. Robert D. Baker and Capt. Richmond P. Hobson. Mr. Capen, the acting Secretary, read a letter from the Conference addressed to Mr. Smiley, begging him to accept a hall clock as a mark of esteem. The resolution presented by Mr. Charles Henry Butler at the preceding session was unanimously adopted. There were addresses by the Hon. David J. Brewer, Associate Justice of the Supreme Court of the United States; Hon. Richard Bartholdt, St. Louis, Mo., Founder of the American Branch of the Interparliamentary Union; Major-Gen. James H. Wilson, Wilmington, Del.; Hon. Thomas H. Anderson, Judge of the Supreme Court of the District of Columbia. Short papers were read by Chevalier Ruffillo Agnoli, the Italian Commissioner on the Venezuelan Claims Commission, and Hon. J. M. Gamboa of Mexico, a Member of the Permanent Court of Arbitration at The Hague. There were also brief addresses by Mr. Charles Henry Butler, Reporter of the Supreme Court of the United States; Prof. James Brown Scott of Columbia University; Gen. O. O. Howard, Burlington, Vt.; and Hon. W. Martin Jones, Rochester, N. Y.

THE PRESIDENT called the Conference to order at 10 o'clock and introduced HON. JOHN I. GILBERT of Malone, New York, who said:

REMARKS OF HON. JOHN I. GILBERT ON THE PLATFORM.

Ladies and Gentlemen: On behalf of the Business Committee, it is my privilege to present to you what seems to us to be the expression of the will and the aspirations and purposes of this Conference.

PLATFORM OF THE TENTH MOHONK LAKE CONFERENCE ON INTERNATIONAL ARBITRATION.

With unabated confidence in the cause of international arbitration

this Conference renews its allegiance to the principles involved, and continues its efforts to promote them.

Each year marks distinct progress towards the attainment of the beneficent ends proposed. This progress has been along the lines of natural growth and development.

With great gratification we record the fact that eleven nations — five of them ranking among the great powers — have appeared before the Court at the Hague and submitted their controversies to its adjudication. This has been done in the same orderly and judicial manner as that which obtains in our ordinary courts of justice where disputes between individuals are decided. In either class of cases one party or the other is likely to be disappointed with the result, but it is accepted as the only rational and civilized substitute for a direct settlement between the parties themselves. We confidently rely upon the irresistible power of public opinion to give effectual sanction to the judgments of the arbitral tribunal and to extend the scope of its jurisdiction.

We rejoice that the increasing development of commercial communications between countries tends to the advancement of universal peace. This Conference is more than ever conscious of the profoundly vital and important nature of the work in which it is coöperating.

Arbitration is not sought as an end in itself, but as a necessary means to the attainment of the great ends of international justice. It is not intended to be merely an easier and cheaper way of overreaching a rival or getting the better of an enemy. It recognizes the equally sacred rights of all and seeks nothing less than the meting out of justice to all concerned as it may appear to an impartial court under recognized rules of law after hearing all the evidence and arguments of the respective parties. To create a demand for resort to this court for the settlement of controversies between nations in a constantly increasing number and range of cases is the immediate, constant and imperative requirement of the situation.

To this end the Conference urges all the people to give their influence to the adjudication by the Hague Tribunal of all disputes between nations substantially as in disputes between parties in civil cases. This should appeal to all people from motives of justice and right, humanity and peace, regard for human life and happiness. None are so high and none so low as to be beyond the unhappy effects of war.

In all parts of the land, in city and country, in family and store and workshop, in church and school and state, in all relations of life, attempted settlement by war leaves its sad and indelible work. We therefore appeal to all to coöperate in diffusing such a righteous sentiment and feeling towards all classes, conditions and races of men that international arbitration will be resorted to as the best means of securing international justice whenever diplomacy fails. To such a sentiment and feeling, when awakened, the law-making and treaty-making powers of the government will readily respond.

Several nations have already signified their readiness to enter into treaties with the United States providing for the submission of their

controversies to the Hague Tribunal. We urge upon the government not only to take early and favorable action in response to these suggestions, but also to take the initiative in negotiating similar treaties with all nations, whereby they shall agree "to submit to arbitration by the Permanent Court at The Hague all differences which they may fail to adjust by diplomatic negotiations," and by which they shall further "agree not to resort in any case to hostile measures of any description till an effort has been made to settle any matter in dispute by submitting the same to the Hague Tribunal."

The Conference considers it of great importance that the arbitration treaties signed by the representatives of all the states of the Western Hemisphere at the International American Conference, held at Mexico City in 1901 and 1902, should be ratified at the earliest practicable day.

We favor the coming together of representatives of all nations, disposed to join in the movement, in pursuance of some plan mutually agreed upon, for the purpose of conferring together concerning matters of common interest, to the end that the general welfare of all the nations may be promoted. This proposed gathering has already been aptly designated as an International Advisory Congress.

We recognize such a Congress as the natural complement and auxiliary to the cause of international arbitration. It will be but another of the steps sure to be taken in the same general direction, all making for the peace of the world, upon the only reliable basis, namely, that of justice and universal goodwill.

There are two or three points in the Platform about which I want to say a word. I do it at the request of the Committee, though they did not designate the particular things which should be specially mentioned.

The last matter in the Platform, you observe, is the approval by the Committee of the proposal now before Congress for a regular International Advisory Congress. Now that subject has not been very much discussed here. But I regard it, and the Committee regards it, as one of the natural and inevitable steps to be taken in the general line of the work in which we are engaged, and the Committee has endorsed the proposal for the creation of such a Congress. The thought of it is about this,—that all nations which are disposed to join in the movement should come together by their representatives at stated periods and talk the situation over and see what their common interests are. The fact is that men in different states and nations have a great deal more in common than they are wont to suppose. We seem to differ, we go by different names, we come within different geographical boundaries, but how much there is in common! The bare fact that representatives of the different nations should come together, look each other in the eye, and talk together about the things in which they were all alike interested, would of itself be most pacificatory. And then, how many things could be ascertained and brought to the surface, which would, if neglected, become sources of irritation

and difficulty hard to be removed! The time is coming, I believe, when the nations will come together in a regular congress to talk over their common interests. It will be advisory at first, but by and by it may become authoritative; I anticipate that it will. We believe that the time has come for the civilized nations to move in the matter.

There is another thing I want to say. I have attended a number of Conferences here, and I think I am quite within bounds when I say that never before has there seemed to be so much of moral sense in this movement; that is to say, there has never been a time when the idea of doing the thing that ought to be done, and doing it for the simple reason that it ought to be done, has manifested such power as within the year past.

One other thing. A good deal is said about the extent of the jurisdiction of the International Court. In my judgment, the time has not yet come when the public sentiment of the world is fully ready to uphold that Court. When the sentiment of the people throughout the civilized world gets right, there will not be any question that cannot be settled by direct negotiation that the governments will not be more than willing to submit to such an impartial tribunal in which full confidence can be placed.

Something is said in the Platform about clearing our minds of prejudices and biases, the things that alienate one man from another, one race from another race. If I could speak but one word to this audience I would say: Cultivate that spirit which tends to clear the moral atmosphere of all these things which disturb our judgments and which alienate class from class, and man from man, and race from race. [Applause.] The progress which we shall make as friends of international arbitration will be measured, will be determined, by the progress which we make toward clearing our minds of those things that make one man or nation hateful to another.

HON. H. B. F. MACFARLAND, in seconding the adoption of the Platform, said:

Mr. President: When on Wednesday morning at our session a state of war seemed to exist in the Conference (the belligerents were valiantly waging the war, and we, benevolent neutrals, like benevolent neutrals generally, were egging them on for the sake of the fight), it seemed almost impossible that we should ever have peace again; but just as the clouds which have hung over Mohonk have disappeared and the sun is coming out, so peace, I believe, is coming out of this controversy, and coming out, I trust, in the adoption of these admirable declarations. I venture to praise them because I had no direct hand in making them. Judge Stiness and Senator Gilbert wrote this Platform, and they deserve the credit for it. Mr. Morley says, in his "Life of Gladstone," that he once greatly amused Mr. Gladstone with Mr. William Allen Butler's story of the man in Boston who read Shakespeare for the first time and said, "I don't believe there are fifteen men in Boston who could have written that

book.” [Laughter.] With all due respect to this distinguished Conference, I don’t believe that there are fifteen men or women in the Conference who could have written a better declaration than Judge Stiness and Senator Gilbert have written.

The great thought, after recounting the progress which has been made, is that progress is to continue to be made; that we are working with the God of justice, of international justice, and that therefore we are sure of success. The only question is a question of time, and this seems to us, as almost every speech in this Conference has indicated, to be just the threshold of the greatest developments in the advance of this cause.

We here, I think, every one of us, although we have that deep patriotism which loves country first and best, and which is willing to do more for country than for any other object, are still deeply imbued with the belief that because God is our Father all men are our brothers, and that we want justice not only for ourselves, but for all of them. “America loves justice” was the motto which Mr. Robert Treat Paine gave us last year, and that is the motto which we should have in this movement for all time to come.

We feel also, as the Platform indicates, that public opinion is more and more ripe for progress in this matter. Lafayette said of our Revolution, “When I heard of your cause my heart enlisted”; and that is just what takes place whenever any one comes to know and understand the cause of international arbitration. The remarkable rapidity with which the great business organizations of the country have taken it up, as was reported to us last night in those admirable speeches, is an indication of the way in which this thought leaps from heart to heart, because it is a right thought, because it is a just thought, and because it makes for what we all at heart desire — the peace of the world. [Applause.]

REV. JAMES H. ROSS: I would like to take the time of the Conference for a moment, not for the purpose of discussing the Platform, but simply to call attention to something in the morning paper which has a bearing on the Platform. Those of you who have read your morning *Tribune* will have seen on page 9 an article from the regular London correspondent of the *Tribune*, headed: “War Morals. Revolution in Naval Armaments — New Points for a Peace Congress.” I take it that means: New points in favor of the Platform of a Peace Congress. It is exceedingly interesting reading for those who even here have been advocating the building of big battleships at enormous expense, because it says in substance that for economic and strategic reasons, to say nothing about moral reasons, they are out of date and will be of very little use in future warfare. I will simply read the closing sentence of this article, which I hope you will all read at your leisure:

“A new Peace Congress at The Hague would receive stronger support than the Czar’s experimental council. Recent evidence of the wastefulness of military and naval armaments, the destructiveness

of modern warfare and the necessity for new safeguards for neutral interests, is overwhelming.”

HON. ROBERT D. BAKER: It seems to me, and I speak here as a private citizen, that while the Platform as it has been presented is an advance upon the previous Platform, — of course I am laboring under the difficulty of not having the Platform before me, and of having heard it read only once, — but it seems to me that it does not really express a desire for peace.

It has been said here at some of the previous sessions, and said well, that all action is finally the result of compromise, but I cannot conceive of the people who are themselves in favor of something being done compromising before they go into discussion with the others who are not in favor of it. Now if this is a Peace Conference we should declare for peace. It seems to me that this Conference can do nothing less than to declare in favor of some practical step towards peace.

THE PRESIDENT: Mr. Baker, this is not a Peace Conference; it is a Conference on International Arbitration.

MR. BAKER: It does seem to me, however, that there can be no other object in international arbitration than peace.

THE PRESIDENT: And justice.

MR. BAKER: But justice cannot be obtained without peace; you can have compromise, but you cannot have justice. I do not think that the decision of a tribunal is just simply because men do not subsequently fight. The weaker may say, “I am compelled to submit to this force,” but that does not mean that he regards the action of that court as just to him. We can have justice when there is peace, and we never shall have justice until there is peace, until men can meet each other peacefully and discuss matters; only then shall we have justice in this world. It seems to me that this Conference, though it may technically be in the interests of international arbitration only, can have no other purpose in being excepting to bring all the moral influence of this gathering to bear in favor of peace, universal peace.

Now in view of the fact, apparent to the whole civilized world, that the so-called great civilized nations are making the most strenuous efforts in competition with each other to make preparations for war, surely those who want peace should say that that at least should stop, whether you are prepared to declare in favor of disarmament or not.

Therefore I say that this Conference ought to insert in its Platform a clause, and declare — I care nothing about the phraseology — in favor of the idea that it is the duty of this country, situated in an absolutely unique geographical position, absolutely unassailable, to say to the world officially, “Let us see if we cannot come together in some practical effort, the immediate object of which shall be a

reduction of the enormous armaments of the world which are draining the very life-blood of the common people." [Applause.]

RICHMOND PEARSON HOBSON : If I am not out of order at this moment, I would venture to bring up a point in connection with the Platform that I intended to bring up a little later. It is the prominent part that our country should play in this great international movement. This has impressed me very deeply in the observation of the makeup and the lives of the peoples of the world.

If you look at our history you will find that America represents the coming together of the nations that in Europe have been warring with each other. Our country was not colonized until after the warring nations had had fifteen centuries of the influence of the gospel of peace ; and then it was not colonized by the captains and the soldiers that had been waging the wars of the past centuries. It was colonized by the advanced spirits of intellect and character who wished to break away from the systems where they warred with each other ; they came to America to be reconciled brother to brother. A Frenchman to-day hates a German and an Englishman, and an Englishman hates a Frenchman, and a German hates a Frenchman, just as well. So with other peoples ; but America could n't hate any other people without hating her own blood. [Applause.] We stand by the very composition of our people as the reconciliation of the warring elements of the great races.

Moreover, the daily lives of our people make us by habit peaceful in our thoughts. We do not see uniforms going about ; we are not thinking of armies destroying ; we do not hate ; we do not fear ; we are all engaged in the peaceful pursuits that multiply human happiness. The American mind thus in the passing of generations is shaped to be the natural mind to work out the great peace problems of the world.

What is more, we have become the greatest producing nation. The great world staples of food, clothing and manufactured articles are going from our shores to all parts of the world, and our nation, more than any other nation, would have its interests injured by war. So that we are constituted by the nature of our people, by our daily lives and by our material interests, the great peace nation of the earth. In any international movement, therefore, I think America should lay it to herself that she will be the leader.

It is a glorious fact that public sentiment in America will prevail irrespective of government officials. There is no hereditary condition here ; the voice of the people is supreme, and that voice is for peace. This mighty nation of eighty millions of people should not take upon itself a smaller task than to see to it that universal peace prevails.

In concluding, I believe the objects of all of us are the same ; but the gentleman who has just sat down has referred to disarmament as the keynote. Yes, it is ; but how can you get disarmament ? By giving the nation that stands for peace the power to command peace

on earth. Then she will stop war; and when the other nations have disarmed, she will disarm.

THE PRESIDENT: Those in favor of the Platform as read by Judge Gilbert will say "Aye."

The whole Conference responded, and the President declared the Platform unanimously adopted as expressing the sentiments of the Conference.

THE ACTING SECRETARY: In the absence of Mr. Woodruff, our Secretary, who necessarily left this morning, I have two matters to present from the Business Committee. One will require no action on the part of the Conference, and I therefore read it first.

JUNE 3, 1904.

MR. AND MRS. A. K. SMILEY.

Dear Friends: We, the members of the Arbitration Conference, remembering that this is the Tenth Annual Session of this Conference, beg to tender to you, in recognition of your courtesy to us during these past years, a hall clock, which we hope you may be pleased to place in the parlors, where, suitably inscribed, it may forever be a memorial of our friendship for you and our appreciation of your efforts in behalf of world-wide arbitration.

Truly yours,

GEORGE GRAY,
JOHN H. STINESS,
LYMAN ABBOTT,
ALDEN CHESTER,
HENRY B. F. MACFARLAND,
ROBERT TREAT PAINE,
JOHN I. GILBERT,
SAMUEL B. CAPEN,

CLINTON ROGERS WOODRUFF,
JAMES WOOD,
BENJAMIN F. TRUEBLOOD,
L. CLARKE SEELYE,
THOMAS NELSON PAGE,
ALEXANDER C. WOOD,
FRANKLIN P. SHUMWAY.

For the Members of the Conference.

I would say that Mr. Macfarland and others have been throwing bouquets at Boston ever since the Conference began, but it has not been possible for Boston to get the clock here either by telephone or by telegraph; however, it will be here by the Conference next year. [Applause.]

The next matter is this resolution, which the Committee have endorsed as it was presented by Mr. Butler:

Resolved, that this Conference endorses the sentiments expressed by President McKinley in his annual message of 1898, and reiterated by President Roosevelt in his annual message of 1903, in favor of the exemption of unoffending private property at sea from capture during war; and, as such a rule would tend to minimize and alleviate the disastrous consequences of war,

Resolved, that the President of this Conference appoint a committee of three to prepare and present to the President of the United States, the Secretary of State, and both Houses of Congress, a memorial urging that an international congress be called to consider this question with a view of incorporating into the permanent law of civilized nations the principle of the exemption of all unoffending private property at sea, not contraband of war, from capture or destruction by belligerent powers; and, further, that this Congress be requested to consider the adoption of a code of rules for the general conduct of warfare upon the sea.

The resolution was unanimously adopted, and the President later

named the following committee, as called for under it, with power to add to their number :

COMMITTEE ON MEMORIAL ON FREEDOM OF PRIVATE PROPERTY ON
THE SEA FROM CAPTURE DURING WAR.

CHARLES HENRY BUTLER, Reporter of United States Supreme Court.
PROF. JAMES B. SCOTT, Columbia University, New York City.
PROF. G. G. WILSON, Brown University, Providence, R. I.

MR. SMILEY: I was taken entirely by surprise by this very unexpected announcement of a gift of a clock. It is very singular that before I left California I went to a clock-maker and studied clocks for this hall and for this house. Fortunately I did not engage one, but I was just on the point of doing it, because we needed one.

It is of course vastly better to have our valued friends who have been here and done so much for international arbitration take it into their hearts to do this kindly thing. I thank you most heartily for it, and shall appreciate it. I hope there will be some inscription on it to show in what way it came. [Applause.]

THE PRESIDENT: The Chair now has great pleasure in announcing to the Conference that MR. JUSTICE BREWER of the Supreme Court of the United States has consented to speak to us. [Applause.]

KEEPING TO THE HIGHEST IDEALS.

ADDRESS OF MR. JUSTICE BREWER.

Mr. President, Mr. Smiley, Ladies and Gentlemen: I came here to listen and not to talk, but I was met by the Chief Justice of the Supreme Court of Rhode Island, who declared that I must say a few words. I made my objections; they were overruled, and the Supreme Court of the United States bows to the mandate of the Supreme Court of the smallest state in the Union. [Applause.] I have the satisfaction, however, of knowing that as I continue to talk I shall be heaping coals of fire on his head, and that when I am through you will be satisfied that my objections were well taken.

I listened last night with interest to the earnest, positive declarations of these representatives of the business associations of the nation. One, as he listened, could not help feeling that the time was near when international arbitration was to prevail, and yet there was something in them that reminded me of the declarations of political conventions, which always assert victory in the coming campaign. [Laughter.] I cannot but think we ought to bear in mind that movements so vast and so changing the relations of nations as international arbitration do not come to fulfillment in a day. I recall a little incident in my early life. My aged grandfather, Dr. Field, when in 1857 that wave of religious feeling went over the land, was spending the last of his days in Stockbridge, where as a young man he had been

pastor. That wave touched Stockbridge, and one afternoon a large number united with the church, some of them gray-haired, who in earlier days as young men and young women had listened to his preaching. When the exercises were over he leaned forward and in a trembling voice said: "I know the millennium is nigh. I am an old man and I may not live to see it; my children have grown to manhood and womanhood, and perhaps they also may not see it, but my children's children I know will see the coming of the glad day." The old man has passed to his rest, all but one of his children have followed him, nearly half of his grandchildren are with him on the other side, but the glad millennium day is still away on in the distant future. But he saw it. Just as certainly as John in the Island of Patmos saw the descending New Jerusalem, that old man with the eye of faith saw the millennium day. And so, although we shall not live — not one of us — till the time when universal international arbitration prevails, we can see with the same eye of faith that day dawning upon the face of the world.

We have no right to expect its immediate coming, great as is the feeling which prevails, in this country at least. Did you ever stop to think of the unnumbered centuries that have rolled by since mankind first tried to secure within the limits of each separate state and nation the settlement of all disputes by arbitration, by courts, through the exercise of the judicial function? And back of all such efforts has been the organized power of the state to compel obedience. Can we expect within two or three centuries to bring all the nations of the world, over whom there is no power to compel obedience, to accept international arbitration as the only way of settling disputes, into some of which so much of feeling, so much of interest, will always pass?

Yet we are working towards that end, and every effort that is made to-day by the noble men and women of this country to bring on that day will also bring the comfort of the sweet thought that they are working with the Almighty towards the grand result which will come when the days of peace prevail. It is glory enough to be able to say in respect to these efforts: "*Quorum pars fui*" — "part of them I have been."

While there is no power to compel international arbitration like that which compels obedience to the decisions of national courts, there is one growing stronger and stronger — the power of public opinion.

I do not know that I was ever more impressed with the significance of that than in connection with my work as a member of the Venezuelan Commission appointed by President Cleveland. That Commission had absolutely no power; it was called upon by him to investigate and report the true division line between Venezuela and the British possessions, and yet its decision, if it had ever come to one and had declared what in its judgment was the true line, would have bound no nation, neither England nor Venezuela, which had taken no part in its establishment, nor even the United States.

In fact, it would have bound nobody in the world. And yet, no sooner had the Commission been organized than the two governments of Great Britain and Venezuela each proffered it all possible assistance in securing information. There was nothing which each of them was not willing to do in the way of opening its doors, the doors of its libraries and its archives, inviting us to search and find the truth. Nor was it confined to the two nations especially interested; Holland and France and Spain made a like proffer of assistance, and from the Vatican Library we gathered much information.

What did this signify? It signified that the two nations especially interested, although they knew that whatever the conclusion reached by that tribunal, it had no legal force and effect, yet felt that the great power of public opinion was behind it, and that it was not wise to defy that power by ignoring the judgment which should be reached by those five gentlemen, believed to be impartial and intelligent. [Applause.]

That same power of public opinion stands behind this movement for international arbitration. It has gone farther, and compelled the nations to assent to it.

Sometimes in the papers, sometimes in private conversation, you hear a sneer at the Hague Conference as a goody-goody thing, which meant nothing practically. I am willing to admit that the machinery of an international tribunal provided by that Conference is not perfect—far from it; but the significant fact is that the civilized nations gave their assent to the thought of international arbitration, proclaimed their adherence to it, and provided any sort of a tribunal. It is the beginning of the end. We sometimes say that the War of the Revolution was won at Yorktown, and the independence of the United States established there. In one sense of the term that is true; but the question of the independence of the United States was settled when the farmers at Lexington and Concord fired the shot “heard round the world.” The die was then cast, and the after work was the mere machinery to put into force the decision then made.

Some of you who are as old as I am remember when the news came of the firing on Sumter; how with saddened hearts we listened as the telegraph reported the changing conditions of that fight. It was a gloomy day and we did not see the outcome; but a diviner eye looked through the flames as they rose from the bombarding cannon, and saw the destruction of slavery, and a closer Union. The question was settled then. [Applause]

And so I say to-day that while we have years and perhaps centuries before us, the question of international arbitration was settled by the Hague Conference and by the assent of the civilized nations of the world given to its protocol. [Applause.]

I will add just one thought. We are here expressing the moral sentiment of the nation in reference to this movement which promises in the future the days of universal peace, and in such a gathering as this, such a representative body, it seems to me the duty is to hold

everything up to the highest level. Last night, in remarks made by some of the gentlemen, they said they were in favor of a great navy and a strong army, but that at the same time they were in favor of international arbitration. Well, I am not here to say that they copied the position of the politician in Kansas who declared he was "in favor of the Prohibitory Amendment, but against its enforcement." [Laughter.] They undoubtedly recognize the present condition and the pressure of existing facts. But here we are not legislating, we are expressing the moral thought of men and women of this land, and in expressing that, it seems to me, we may wisely keep ever to the highest ideals. [Applause.] The Master in his life and words always stood way up, as we sometimes say, almost in the clouds; every utterance was along the highest lines. And those ideals have stood before the world and will stand till the end of time. It is a glorious thing for every man and every woman to have high ideals.

"Fear not to build thine aerie in the heights
Where golden splendors play,
And trust thyself unto thy inmost soul
In simple faith alway;
For God will make divinely real
The highest forms of thine ideal."

So let us ever keep before us those highest ideals of peace and international arbitration, and then humanity the world over will look to this Conference as a leader—and thank God for Albert Smiley.

The day will come, my friends,—as I said, we shall not live to see it,—but the song of the angels at Bethlehem is prophetic, and though through saddened and blood-stained centuries humanity has traveled and will travel; yet the echoes of that celestial music are sounding louder and louder in the human heart, and the time will come, the blessed time will come, when "the whole earth gives back the song which now the angels sing." [Applause.]

The President then introduced Hon. RICHARD BARTHOLDT, member of Congress from Missouri, founder and president of the United States Group of the Interparliamentary Union, who spoke as follows:

THE INTERPARLIAMENTARY UNION AND THE ARBITRATION GROUP IN CONGRESS.

ADDRESS OF HON. RICHARD BARTHOLDT.

Mr. Chairman, Ladies and Gentlemen: The privilege of being here and addressing such an audience on such a subject is surely worth traveling a couple of thousands of miles, though to you my presence and my remarks may be valuable only as a demonstration of the fact that the idea of international arbitration, in its triumphant march around the earth, has at last penetrated to regions beyond the Alleghenies and beyond even the mighty Mississippi. Judging from

the personnel of the Mohonk Conferences, the East, up to the present time, had practically monopolized this beautiful spot, and had a kind of a corner on the idea itself. Happily, this has changed now, the omniverous West is joining hands with you, and I see by the presence of my colleague Broussard from Louisiana that the Sunny South, too, is falling into line. It is my firm conviction that no cause will ever fail in this country which is supported by the East and the West, the North and the South alike, which, inherently right and appealing, as it does, to the best instincts of human nature, is neither sectional nor partisan; and I further believe that no cause will ever fail in the world whose success, the common concern of all, will benefit all nations alike, and is destined, aye, sure, to carry universal blessings to the whole human family.

But I am the bearer of a special message to-day, not from my home city, St. Louis, though that city would perhaps be warranted in sending you glad tidings of the great triumphs of peace which are now being celebrated there, but from the national capital. The message is to the effect that our cause, thanks to its resistless force, has broken into Congress, and has at last taken firm hold of the hearts and minds of the nation's lawmakers. In response to an invitation issued by your humble servant, forty-three members met early in January and organized a group or branch of the Interparliamentary Union for International Arbitration. Since that time more than a hundred other Senators and Representatives have signified their intention of joining the new organization, whose sole object it is, like that of the similar European parliamentary bodies composing the Union, to promote in every legitimate way the cause of international arbitration, to procure the reference of pending differences between our country and others to the Hague Court, to hasten the negotiation of new arbitration treaties, and to have inserted in treaties of every description, to be negotiated hereafter, a clause providing for the peaceful settlement of all differences arising under them. I cannot help but think that those objects are worthy of the best efforts of even the greatest and best of our statesmen.

When at your former Conferences reference was made to the Interparliamentary Union, did you realize how small was the beginning of that now most influential organization and how it was made the object of scorn, distrust and even ridicule by those who never believe in a reform until it is accomplished? On October 31, 1888, thirty members of the French Chamber of Deputies and ten members of the English Parliament met at a small hotel in Paris to discuss the project of an arbitration treaty between France, England and the United States. This was the beginning. Those present agreed that members of all the Parliaments should meet occasionally to discuss questions of common interest to all civilized nations alike, and an invitation was immediately issued for a general conference during the Paris Exposition in the following year. This was the first interparliamentary conference and the first feeble attempt at a world's

"parliament of man." A great part of the press received its declarations in favor of international peace with derision and satire, but the movement grew, and the second conference in London, in 1890, was attended by a much larger number of deputies from the various countries. At the third conference, in 1891, at the capitol building at Rome, delegates from Germany and Austria-Hungary appeared for the first time, and with ever-increasing attendance conferences were successively held at Berne, Brussels, The Hague, Budapest, Christiania, Paris and Vienna, and it is no doubt known to you all that the next conference, the twelfth in the history of the Interparliamentary Union, will be held in the United States, in connection with the World's Fair at St. Louis, on September 12, 13 and 14.

Pardon me when right here I make an honest confession, and that is, that at Vienna last year I had no official authority whatsoever to invite the members of the Union to a visit to America. Who, moreover, could have given such a mandate, with Barrows and myself as the only American members of the Union, and Barrows absent? My reference to the World's Fair at the meeting of the executive committee was at once met with a rebuke from Randall Cremer, the venerable founder of the Union, who almost scornfully expressed the hope that this great interparliamentary body would not be used to serve as an attraction for "a show." So I had to fall back on the great American game of bluff and extended the invitation "on behalf of the American people." Fortunately, the bluff was not called. The delegates from Denmark, who had presented an official invitation from their parliament and a written guarantee from their government of a large entertainment fund, gracefully withdrew Copenhagen, and the conference decided unanimously to hold this year's meeting in the United States. But while the delegates were cheering, I suddenly realized the size of the elephant on my hands, and I do not exactly remember how I came back to the United States, by steamer, by rail or other conveyance.

Night and day I saw nothing but that elephant until I called on President Roosevelt, whom I felt like hugging when he readily consented to help me "make good" by calling attention to the importance of the impending conference in his next message to Congress. You know he has kept his word. Then came the organization of the American group, and the passage by Congress of my joint resolution, extending an official invitation to the European parliamentarians composing the membership of the Union, and making an appropriation of \$50,000 to defray the expenses incident to the conference. Consequently, the visit of several hundred of the most distinguished legislators of the world is now an assured fact.

It is needless to say that in all parliaments of Europe the organization of an American group was hailed with delight. Of the many letters received, allow me to read part of one from the celebrated French statesman and President of the French group, Baron d'Estournelles de Constant, who says, after offering his felicitations :

"Consider that we are bound together by one same program, one same ideal,

with no party lines; that is to say, render war as rare and as difficult as possible, promote peace, progress and civilization in the world. That is the most efficacious way to serve our respective countries and to be a true patriot. Our hearts are large enough to love both our native land and humanity. No other nation admires more than France the splendid words of your great Paine: 'My country is the world, and my religion is to do good.' "

I should like to speak of the program of the St. Louis conference, but I am afraid of exceeding my time limit. There is no question but that all other nations look with hope and expectancy to the United States. They feel how thoroughly it would accord with our political institutions if the American government would take the lead in this question and call, for instance, a second congress similar to that at The Hague, with a view to the negotiation of arbitration treaties between the different countries, and to the renewal of the discussion of the reduction of armaments. This, indeed, will be the proposition of the American group at the St. Louis Conference, and a concurrent resolution is already pending in Congress requesting the President to convene such a new world parliament. If emanating from the United States, the acceptance of the invitation by the other powers is almost certain, especially if by the adoption of this American proposition at St. Louis the members of the Interparliamentary Union will use their influence with their respective governments in this direction. Then the greatest of all steps forward will have been taken. Law and justice will be substituted for brute force in international relations, as it was done long ago in civilized society, and all mankind will rejoice in this crowning glory of modern civilization.

In conclusion, may I ask that in addition to the Platform already adopted the following resolution, which I have referred to as pending in Congress, be endorsed by this Conference? This resolution reads as follows :

"Whereas, enlightened public opinion and the spirit of republican institutions alike demand that differences between nations should be adjudicated and settled in the same manner as disputes between individuals are adjudicated, namely, by the arbitrament of courts in accordance with recognized principles of law; and

"Whereas, the government of the United States has always recognized the principle of international arbitration, and should therefore take the lead in a diplomatic effort to secure its universal application; therefore be it

"*Resolved*, by the House of Representatives (the Senate concurring), That the President be requested to invite the governments of the civilized nations to send representatives to an international conference, to be held at a time and place to be agreed upon by the several governments, and whose purpose it shall be to devise plans looking to the negotiation of arbitration treaties between the United States and the different nations, and also to discuss the advisability of, and, if possible, agree upon, a gradual reduction of armaments."

THE PRESIDENT: I take the liberty of presenting to the Conference this resolution spoken of by Mr. Bartholdt. Mr. Bartholdt's motion is that this Conference concur in the sentiment of that resolution, and unite in respectfully requesting Congress to act upon it.

The resolution was unanimously approved.

The President then introduced GENERAL JAMES H. WILSON whose address was as follows :

HOW CAN PERMANENT PEACE IN THE FAR EAST BE SECURED AFTER THE WAR?

ADDRESS OF GENERAL JAMES H. WILSON.

Mr. Chairman, Mr. Smiley, Ladies and Gentlemen: According to the teaching which we of my profession have received, the principle which has generally determined the relations of nations in their supreme interests is expressed in the lines :

“The good old rule
Sufficeth them, the simple plan,
That they should take who have the power,
And they should keep who can.”

Rude and strenuous as this sentiment is, I regret exceedingly that it is the rule by which nations have settled their affairs from the earliest dawn of civilization down to the present time, and it is the rule which now seems to be actuating those who are grappling at each other's throats in the Far East.

I believe, however, that each of the great combatants thinks and feels that he is right in striving to obtain what he is aiming at ; each believes that he is engaged in a righteous effort to uphold and support his paramount and permanent interests in the affairs of the world. Each is doubtless governed by that sentiment, as well as by the sentiment that he is entitled to have whatever he seriously needs, if he is big enough and strong enough to get away with it.

I have listened with the greatest interest to the discussion with which we have been favored in reference to the means by which international differences should be settled and peace be maintained throughout the world. Sad as it may be, we know that people do struggle for what they think is essential and necessary for their permanent advancement in the battle of life. If I have not misread the statements put forth in behalf of the great Oriental combatants, each in the last analysis is struggling for land, each is after that which will make life easier and better for his people.

In order that you may understand how I have reached this conclusion, I call attention to the fact that in Russia,—which is one of the great land-holding powers of the world, dominating and holding under its sway one-seventh of the habitable globe,—yet where its population is thickest it is reduced to a minimum of land per family group. At the date of the emancipation of the serfs some twenty-four or twenty-five acres per family group was assigned by the Czar and by the nobility, and that was then apparently enough to support the Russian people in a fair degree of prosperity. But there is no “race suicide” prevalent in Russia ; the family group amounts to eight heads to be supported on twenty-five acres. While the twenty-five acres were

enough, the family groups having multiplied, the average allotment to-day is reduced to from five and a half to seven and a half acres. This is not enough, and the population is pouring into Siberia for the first time.

I am not here to argue the case for Russia. I wish in fairness to say a few words with reference to the position occupied by Japan in respect to this very important question of land. The primitive wants of man are for land, shelter and food, and land is the basis of all, and, according to the best testimony we have, the amount of land available per family group in Japan is less than two and a half acres. The entire arable area of the Empire of Japan is said to be less than one-third the arable land in the State of Illinois, less than eighteen thousand square miles that can be cultivated, and so the struggle for land is one of vast importance to Japan. Now, while Japan is fighting for her existence, she is also fighting for the extension of her area, for the purpose of finding food supplies for her people. And in that we must all wish her success. Yet there are difficulties in the way of Japan, and very serious difficulties. Her nearest land on the mainland is Corea, and Corea is full of human beings, and you cannot intrude Japanese unless you extrude Coreans. The first vacant land they come to beyond is in Manchuria, and there Japan meets Russia in dispute, a dispute which is being fought to the bitter end.

The objects of this Conference I understand to be international arbitration as the means by which we are to find permanent settlements of the great difficulties which divide mankind; and it occurs to me that when this great war in the East is ended,—as it must end, one way or the other,—then comes the office of the philosopher and statesman. The task is only half done when peace is declared; the statesman and the philosopher must do the rest; they should find some plan by which a permanent peace should be established between the combatants. And I myself, having some familiarity with the conditions prevailing in the Far East, do not see how, when peace has been obtained through the arbitrament of arms, the basis for a permanent settlement can be reached, for the simple reason that I see no plan by which—even with all the conquest which is in front of her and which seems to be at hand—Japan can obtain what she wants.

Now something has been said in this meeting about ideals, and it was most beautifully and eloquently said. We all have ideals, and the higher they are and the more universal they become, the sooner they produce their impressions upon those who have lower ideals. The trouble is, as another speaker said, we all become doctrinaires in advancing and maintaining the justice of our ideals, so that, after all, the practical question is how, when we have got peace through the means of arbitration, we can make it permanent.

It occurs to me that in the Far East it is possible the United States may play a part greater and more potential than she has ever yet played since she became a "world power." Just what that

means I do not know; it runs somewhat contrary to the teaching of the fathers of the Republic in its commonly-accepted meaning. But if we are to exert world power, why not let us try to exert such world power as will bring about the ends at which we are aiming, and which will bring to us the credit due to a great act nobly done?

As I stated, in the ultimate analysis the conflict now waging is a conflict for land. It is believed amongst us that we have acquired in the Far East a most magnificent region, abounding in all the potential wealth of the most favored regions of the world; tropical in its products, it gives to us and to mankind food in the greatest proportion per acre subjected to cultivation; its timber, its minerals (it is believed to possess mineral resources far in excess of those which have yet been discovered) are as yet undeveloped, but supposed to be of the greatest value. That region is curiously enough about equal in area to the area of the Empire of Japan — about one hundred and forty-five thousand square miles of territory. Japan on her one hundred and forty-five thousand square miles of territory has a population of forty-seven millions of human beings, drawing their subsistence, as I stated, from less than eighteen thousand square miles of arable land. A farm in Japan is not bigger than this room. The Philippines have less than eight millions of people, civilized and uncivilized, and large areas of vacant land.

Why not let us make a proposition — I suggest it with all modesty and all deference — that when these two great powers have fought each other to a standstill, — when they can no longer make head against each other, when peace has come, — why not let us, in imitation of the boasts of a great statesman of our race, see if we cannot solve the question on a permanent basis? I refer to the fact that after the Napoleonic wars had ended there was formed in Europe what was known as the Holy Alliance, a combination of the great Continental powers, — Great Britain was invited to join them, but declined, — the object of which was the reestablishment of the *status quo ante*. It meant the return to all who had been despoiled of the land which had been taken from them, and the object was distinctly declared, when England was invited to join, that the Spanish colonies of America should be returned to the dominion of Spain. Fortunately enough for us, Mr. Canning, who was then the Prime Minister, called into conference Mr. Rush, our very able and distinguished minister resident in England at the time, and proposed to him that instead of England's joining the Holy Alliance a combination should be made between England and the United States to resist the reestablishment of the *status quo*, at least so far as concerned the Western Hemisphere. Mr. Rush presented the matter to our President, Mr. Monroe. Mr. Monroe was a wise and cautious statesman, and fortunately there was living in the United States James Madison and Thomas Jefferson, who were called into consultation by letter, and they thought the suggestion of Mr. Canning a good one. But, curiously enough, they thought the hand was good enough to play alone, and they advised against an alliance with Great Britain on a

purely American question, and consequently Mr. Monroe made his celebrated message to the Congress of the United States, announcing what has since come to be known to the world as the Monroe Doctrine, which in its last analysis means, "America for the Americans." It was in reference to this great chapter in our history that Mr. Canning claimed to have called a New World into existence to adjust the balance of the Old. My question now is, Can we not give actual form to this empty boast by calling a new and greater empire into existence in the Far East to readjust the balance of the world?

A few years ago we sent to the East a very distinguished citizen to play the part of a peaceful emperor. He is now the distinguished Secretary of War — and I want to say that if there can be a republican emperor fully worthy of wearing all the honor and wielding all the power the late Governor-General of the Philippines is the man, and his name is Taft.

My suggestion is simply this — that the United States should, when the war is over, say to the Philippine people: "If you can arrange a *modus vivendi* with Japan, by which you can agree upon a system of government which shall be just and right, and which shall protect your interests and be made satisfactory to us, go and do it."

It will be remembered that the Filipinos are alien to the white race, but they and the Japanese are just as much alike in physical attributes as two peas out of the same pod. The Filipinos would naturally fall into a harmonious relation with the Japanese, and thus the Japanese Empire would be extended to within four degrees of the equator. It would form a buffer state covering the entire coast of Asia, and if with Yankee skill for bargaining we should insist upon such conditions precedent as would give us such coaling and trading stations as might be needed for our use, the return of the purchase money which we gave to Spain, and last, but not least, a stipulation for a perpetual commercial arrangement which should give the United States preferential duties for natural and manufactured products in the Island Empire in return for preferential duties on their natural and manufactured products in the United States, it seems to me that we should then have neighbors on the farther side of the Pacific with whom our friendly relations would be permanent and from whose commerce we should multiply our profits just exactly in proportion to our enterprise and to the sensible methods we should carry into our business with them. [Applause.]

The proposition is a very simple one. It would give Japan a place for her overflow population and for her enterprise for the next fifty years. It would leave China free to work out her own destiny, It would give the powers an opportunity to restrain the rapacity of Russia, while allowing her an ice-free outlet to the Pacific. It would enable them to insist upon the Open Door in Manchuria. And, best of all, it would give us commercial supremacy in the Far East as well as in the islands of the sea without the establishment of an Eastern empire in violation of the principles of our Constitution. The contingency may never arise under which this suggestion may

be worked out in the way I have indicated; but the suggestion having been made, it may be safely entrusted to the hands of such men as now or may hereafter preside over the destinies of our government. I make it now as my contribution to the cause of permanent peace in the Far East, and feel sure that if it can be worked out it will promote the interests of mankind at large.

MR. SMILEY: General Wilson came here after our rule was adopted not to say anything upon Japan and Russia, but he has said nothing objectionable. With rare good judgment he has touched upon important questions relating to Russia and Japan, and yet he has not taken sides.

HON. THOMAS H. ANDERSON, of the Supreme Court of the District of Columbia, was next introduced. His remarks were as follows:

AMERICA'S MISSION TO LEAD THE WORLD TO PEACE.

ADDRESS OF HON. THOMAS H. ANDERSON.

Mr. President, Ladies and Gentlemen: I stand here for the moment, not upon my own motion, but simply in submission to the mandate of your Business Committee. It is not my purpose to make a speech, but to give expression to the sincere appreciation I have in sharing with you the opportunity that has come to us the last three days in connection with this Conference. We shall return to our homes, I am sure, filled with a new inspiration for peace, filled with a new inspiration for its maintenance, filled with a new desire that God in His goodness may so shape public sentiment in this favored land that the aspirations of this hour may be speedily realized.

It seems to me that there is no occasion quite so encouraging, no fellowship, no companionship, if you please, quite so engaging, as that which marks an occasion like this, when all hearts, moved by one common sentiment, unite to advance the highest interest of a great and good cause—a great cause, because of its far-reaching purpose; a good cause, because it has for its motive the advancement of humanity throughout the world.

A man who in the midst of a busy life gives himself to the advancement of a great cause like this may well be regarded as a public benefactor. We find in our gracious host that man—a man who all through his life has been a busy man, and yet has turned aside from business and has initiated a movement in behalf of a cause upon which we can all unite. The cause of international arbitration stands in the way of no man's creed; it embarrasses no man in his political convictions or affiliations; but here, without regard to party, without regard to creed, without regard to the section from which we come, we stand upon common ground.

There never was a time in the history of this country when public

thought, when public opinion, was so ready to respond to the sentiment of this Conference as now. Freedom and patriotism have come to have a new meaning. There was a time when patriotism simply meant love of country, and it found its highest expression upon the field of battle; but to-day freedom and liberty mean more than that, patriotism means more than that. It means not only love of country, but love of our common humanity. We have reached that stage of intelligence, that high standard of public morality, when our hearts respond as the heart of one man to this sentiment that has for its purpose the uplifting of our common humanity not only at home, but throughout the world.

And why should it not be so? We have the proud distinction to-day of being the citizens of the only Anglo-Saxon Republic the world has ever seen. Its foundations were laid broad and deep nearly one hundred and thirty years ago. Our fathers builded wiser than they knew. From thirteen unimportant colonies, to-day we number forty-five states with a population of eighty millions of people. Our progress has been steady and upward, until to-day we are recognized as a great world power. Standing in that relation to the world, there has come to us a great and serious responsibility. This is an hour for serious thought and calm reflection in regard to our relations not only to each other, but to the world at large. The Anglo-Saxons are leading the world in the onward march, and this nation stands in the vanguard. Therefore, every American citizen ought to realize that there lies before us a great mission, and one that cannot be fulfilled unless each individual citizen appreciates that it is his duty as a good citizen to play some part in carrying it out.

I am proud of my country; I am proud of my country's flag. It represents the highest civilization and the greatest governmental power the world has ever seen.

I have often felt a good deal of satisfaction at the response that Eli Perkins made on one occasion at a banquet in China. The majority of those present were Englishmen and Americans. The toast proposed by the English was "the Union Jack." The British consul, rising in his place, said: "Here is to the Union Jack, the flag of flags, the flag that has floated over every land and continent for more than a thousand years, and the only flag upon which the sun never sets." The sentiment was so happily put that the Americans present were anxious that somebody might be able to fittingly respond to it. Eli Perkins proved to be the man. He rose in his place and said: "Here is to the Stars and Stripes, the flag of the young Republic; as the setting sun lights up her stars in far-away Alaska, the morning sun kisses her starry folds upon the rockbound coasts of Maine. It is the flag of freedom, and it is the only flag that whipped the flag on which the sun never sets." [Laughter.]

Now, why should not we be proud of this flag? It is because we live under a flag that whipped the flag on which the sun never sets that we to-day are the citizens of a republic on whose flag the sun

never sets. From east to west, from north to south, her dominion is that of peace and of prosperity. [Applause.]

MR. SMILEY: You may be interested to hear the following from this morning's *Herald*:

"Spain arbitrates with Portugal; treaty signed by Iberian powers in conformity with the Hague Peace Convention.

"Lisbon, Thursday. — A treaty of arbitration has been signed between Spain and Portugal. It conforms with Article 19 of the Hague Convention.

"Article 19 declares that the signing of the Hague Peace Convention implies an undertaking to submit in good faith to the arbitral judgment."

DR. TRUEBLOOD: That makes eight special treaties of obligatory arbitration which have been concluded within the last eight months.

The President then introduced CHEVALIER RUFILLO AGNOLI, Italian member of the Venezuela-Italian Claims Commission, who spoke as follows:

ITALY'S LOVE OF JUSTICE AND PEACE.

ADDRESS OF CHEVALIER RUFILLO AGNOLI.

Mr. Chairman, Ladies and Gentlemen: In an assembly like this, where are found a great number of persons, including among them profound savants in international law and most valiant propagators of the principle of arbitration, my rôle should have been that of listener and learner. With that sole intention I accepted the gracious hospitality of Mr. Smiley, and came to this charming spot. And silence was all the more my duty as I have but just made the acquaintance of this marvelous country called the United States, and have but a rudimentary knowledge of the language here generally spoken.

But since some of the members of the Committee have desired, and very courteously insisted, that the only Italian who had the honor to assist at this Congress should address it, I consented.

Without too much abusing your attention, I may say to you that in Italy there are many friends devoted to the idea of arbitration and peace between nations. Italy, as direct heir of the Romans, who laid down the basis of law, cannot fail to follow with the greatest sympathetic interest everything that tends to establish in the world the reign of equity and justice. And this is, for her, not only a question of lofty morality, but also of highest material interest — even more, a necessity.

Italy is not one of the greatest and strongest of countries. Her life as a free and independent nation runs back but a few years, to a period of division and servitude centuries long which had weighed upon her.

It is well known that the Italians emigrate largely. Many millions of my compatriots seek abroad better conditions of life, and it is beyond doubt that the phenomenon of our emigration presents many

striking phases, and obliges the government to regulate and follow it with the greatest attention and solicitude.

The protection of the emigrant is certainly one of the most difficult and delicate of governmental functions. A man recently expatriated often finds himself in difficulties of many kinds. He does not immediately comprehend the country in which he establishes himself; he does not easily adapt himself to new modes of life; his aspirations, his rights, perhaps, are sometimes misunderstood.

A painful situation may quickly arise and give place to controversies, which might degenerate into open struggles. Arbitration often prevents such questions from becoming serious by offering an equitable solution, and the principle upon which it is based, gaining ground from day to day, permits us to hope that the kind of questions referred to, more easily than many others affecting directly the honor and the life of nations, may be able to find always in the future a pacific solution.

I said to you, in commencing this little talk, that in my country arbitration had many friends. It has made, in truth, progress; but I ask why it has not made, perhaps, as much as among you, and I find the answer easy, after having had the honor of assisting at the meetings of the tenth Conference of Mohonk Lake.

Among us Italians only the official world and the savants, save some rare exceptions, concern themselves with these serious questions. On the contrary, you have the most powerful support for the accomplishment of a noble and a generous idea; you have the aid of grace and sweetness. And this assistance is offered by the ladies who inspire, aid and encourage in all that is charitable, that is humanitarian and great.

I wish that in all countries the mothers, the wives, the young women, taking all possible interest in the problems which move humanity, and the solution of which will mark a new step in the path of progress, might follow the magnificent example of the American women.

If the French proverb, which tells us, "*Ce que la femme veut Dieu veut*" (that is, What woman wills God wills), is true, seeing such a large number of ladies facing me, I cannot fail to reach the conclusion that the triumph of arbitration is assured.

DR. HALE: I am instructed to propose a report with regard to the Literary Bureau which has been proposed here. It is sufficient to say that Mr. Maynard of the Associated Press, who knows more about the subject than all the rest of us put together, in a spirit of self-sacrifice has engaged to keep the journals well supplied with short articles. I have had a good deal myself to do with supplying the longer articles, and I know that nobody reads them.

I will not sit down without saying a word which someone must say before the Conference adjourns, with regard to the great loss which the world has sustained in the death of two of our most important citizens. They were not members of this Conference; at least one of them was never here, and the other never came but

once; so that the very proper rule laid down about reference to deceased members does not really apply in this case.

In the death of the Hon. Frederick W. Holls of New York, the great cause of arbitration lost, shall I say, its strongest working adherent. I say with perfect frankness, and I believe everybody who knows the facts will say so, that probably we should have had no Hague Court if it had not been for the providential presence of Mr. Holls as the Secretary of the United States Commission. Mr. Holls was a recognized authority on the subject of international law. He did not care to go into politics; I think the only political office he ever held was in the Constitution-making Congress of New York in Albany. He is missed by the poorest people in New York to-day. By the providence of God, Mr. Holls, at the appointment of Mr. McKinley, was Secretary of our Commission at The Hague. The stories he told of the hard passages there — I repeated one of them here the day before yesterday — the stories he told were sometimes pathetic, sometimes tragic. But I repeat what I have said before, there would probably have been no Hague Court but for Mr. Holls, and his great history of the Hague Conference is the authority.

The other gentleman whom I wish to allude to, is the gentleman who called together the Conference at Washington eight years ago at the moment when war threatened between England and America — the late Hon. William E. Dodge. I rather think it was his purse that supplied the expenses of that great Convention. They got together more than two hundred of the most distinguished men from the forty-five States and the Territories.

I must add that Mr. Holls and Mr. Dodge both died suddenly — two men of whom people say “the world was not worthy.” The world was worthy of them, because the world was made by God, and they were working with Him to save the world. It is certainly encouraging to men who are not in office to know that two such men in private life were able to do what they did for the great cause which engages us here. (Applause.)

HON. J. M. GAMBOA, Mexican Senator and member of the Hague Court, was next introduced by the President, and spoke as follows:

MEXICO'S INTEREST IN PROGRESS.

REMARKS OF HON. J. M. GAMBOA.

Mr. Chairman, Ladies and Gentlemen: On few occasions have I regretted more than at present that I have such a limited knowledge of your beautiful English tongue; for on few occasions have I felt myself so happy and satisfied as at this Mohonk Lake Conference, where, by our labors in behalf of peace, we are glorifying God, whose most perfect creature is man; and the union of men we call *humanity*.

I declare myself the debtor, and greatly the debtor of Mr. Smiley

and of Mr. Walter S. Logan, who made me acquainted with him. What could give me greater satisfaction than I have experienced in looking upon this region, so like paradise, with its charming waters and leafy woods? How can I ever make compensation for acquaintance and association with such illustrious and distinguished persons as those who meet here, in the delightful company of the ladies, who make the place so charming, and permit us to see the salons in which they sit, always fragrant with the odors of flowers.

Great debtor as I am, therefore, I should be, I think, false to the obligations which this hospitality has laid upon me, to the great Republic, which, on the Continent of Columbus, is the first in age, in power and in progress, if I did not publicly say how much your country is esteemed, admired and loved in my own Mexico, my dear native land.

I ought to say, further, that since General Diaz has directed the destinies of Mexico, my country has not been behind any other country in its desire and purpose to make progress, following the good example given it by its bigger sister,—yes, its sister,—for children of Washington are we all who call ourselves free and republican. Washington is the father not only of the United States. His descendants begin here, but they end with the Straits of Magellan.

My country's love of progress is not limited to empty and platonic declamations. Mexican progress manifests itself in telegraph wires, railway lines, in the fulfillment of its duties to other countries, both here and in all the world.

A country which loves progress loves arbitration. In this, we, in company with you, were so fortunate as to be the first to have recourse to the beneficent tribunal at The Hague, for the solution of the dispute which had arisen over the Pious Fund of the Californias,—a dispute which, in former times, and in the absence of mutual goodwill, would have been the occasion of hatred, estrangement and conflict.

Pacific institutions like this of Lake Mohonk are surely blessed of God. I congratulate you who have conceived it and have made it such a great success; and I congratulate myself on having had the privilege of being present as a member at this tenth meeting. It has been to me an honor and a blessing.

The President next called upon Mr. CHARLES HENRY BUTLER, Reporter of the United States Supreme Court, who spoke briefly as follows:

HOW THE HAGUE COURT MIGHT BE MADE MORE EFFECTIVE.

REMARKS OF MR. CHARLES HENRY BUTLER.

I think that every International Conference, where the nations can get together and discuss rules of peace and of war, is a good thing. It shows that if the methods of war can be discussed, and the rules

formulated under which our towns can be bombarded and our fellow-citizens and friends killed, it is equally practicable to discuss the methods by which such things can be obviated.

In listening yesterday to the morning discussion, I was particularly struck with the general sentiment that the organization of the Hague Tribunal is a good beginning, but that we must go further, and the Hague Tribunal should be constituted more as a permanent court, whose personnel is known, and then people of all nations will have the same confidence in that court as the people of this nation have confidence in that court with which I have the honor, in a humble capacity, to be connected. I do not believe the United States Supreme Court would have the respect of this nation if every time a suit was taken before it members of the court had to be reappointed. That, at present, is the condition of the Hague Tribunal. If we can ever get a permanent court in session at The Hague, where the arbitrators are chosen in advance, then it will be as great a step forward as the organization of the court itself was — and that was a tremendous step; one which marked an epoch in the civilization of the nations of the world.

Take, for instance, the Alaska Tribunal — as our Chairman knows, the boundary dispute involved in the dispute referred it could have been settled by arbitration several years earlier if the method of choosing the arbitrators could have been agreed upon. As it was, however, while England wanted the fifth arbitrator to be chosen by a nation friendly to it, we wanted the fifth arbitrator to be chosen by some nation friendly to us, and thus there was a deadlock.

Speaking of that reminds me of something that happened just before the award was given. In discussing the matter with one of the justices of the court, he said: “What a great thing it will be for the cause of arbitration if we can only win over one of the British Commissioners — the Chief Justice of England, for instance — to see the justice of our cause and give us the award.” “Well,” I said, “your honor, it will be so, indeed; but suppose, for a moment, that they should win over one of our Commissioners, — Mr. Root, for instance, — and give an award the other way.” “Oh,” he said, without a moment’s hesitation, “I have absolute confidence in Mr. Root!” [Laughter.]

What I want to see is a court established in which we may have confidence in its personnel as we have in its organization, and in exactly the same manner as in the courts of our own country. Then, when that consummation shall be reached at last, in that great building which is to be erected by the munificence of him who has been so aptly called “the Star Spangled Scotchman” [laughter], they will build up a system of international law and precedents which will command the same respect amongst the nations of the world as that great common system of law which has been built up and established by the courts of this country and of Great Britain. Then, indeed, we will have not only actual, but ideal, adjustment and settlement of disputes by judicial methods and by justice itself. [Applause.]

PROF. JAMES BROWN SCOTT of Columbia University being next called upon, spoke as follows :

INTERNATIONAL LAW IS LAW.

REMARKS OF PROF. JAMES BROWN SCOTT.

I should like to take advantage of a suggestion made by the Chair at the close of the first session. He said then that it has constantly been asserted that international law is not law because it has no sanction, or at most only an imperfect sanction. I have no doubt that there is a great deal to be said for that contention, if you look at law from the standpoint of scientific jurisprudence ; if, however, you look upon law as something actually administered in court, and enlarge upon your definition so as to include all that which is so actually administered, then international law is law in this technical or judicial sense, at least it is law in our country.

We have derived our laws and institutions from across the water. It is indeed a familiar proposition that when we adopted the English law we adopted it with the interpretation which had been attached to it. Thus, wherever we find in the Constitution of the United States the term "jury," we know it means the jury with which our English ancestors were familiar — and so I might go through a list of terms. If we turn to the Constitution of the United States we find in Article I., Section 8, certain powers conferred upon Congress, one of which is the power to punish offences against the law of nations. In other words, international law is recognized in the Constitution of the United States as an existing system, a body of laws, perhaps not wholly determined, but which may be determined.

How then was the law of nations regarded in England before the Declaration of Independence, and before the declaration of our Constitution? It had been decided that the law of nations was in its entirety part of the law of England. In the case of *Buvot vs. Barbut*, Lord Mansfield laid it down that the law of nations is, in its entirety, a part of the common law of England. From the court it passed into the Commentaries of Sir William Blackstone, where it is to be found stated, and as such I would submit that when the framers of our Constitution, trained in Blackstone as the fountain of the common law, adopted the expression, "the law of nations," they must have attached to that expression the exact technical meaning it had in England. Such is the interpretation put upon it by the Supreme Court of the United States from the time of Mr. Chief Justice Marshall to our own day, in which that doctrine was reaffirmed in the case of *The Scotia* in 1871. In that case Mr. Justice Gray, speaking for the court, laid down the broad principle that international law is a part of the law of the United States, and is to be so understood in every case involving necessarily a principle of international law. [Applause.]

GENERAL O. O. HOWARD: *Mr. Chairman, Ladies and Gentlemen:* It has been some time since I was here. Your dear brother, Mr. Smiley, has passed away since then. And I was thinking of my own brother, the Rev. R. B. Howard. He was for eight years the Secretary of the American Peace Society, and he labored faithfully in this country and was at the International Peace Congress in Italy at the time of his death. He worked a little too hard, and was taken ill and died there, and his last speech was one in which he pleaded with all his soul for this very thing that you are pleading for to-day.

I was thinking of another thing. You know you always consider me a warrior—I have always been trying to fight for peace; it is worth struggling for. Over in the Philippines my eldest son was on a steamer hauling two barges loaded with supplies. He was the chief of staff of General Lawton, about a month before Lawton's death, when he was shot. He fell forward and cried out: "Whatever happens to me, keep the launch going." I am an old man, and may not meet you again. Keep the launch going until we shall have universal peace, until all questions shall be amicably settled, and our boys will not have to be killed. [Applause.]

HON. W. MARTIN JONES: *Mr. President, Ladies and Gentlemen:* It seems to me that we ought not to close this Conference without correcting an impression that may go from it, by reason of an address of one of our very able members, delivered yesterday, to the effect that, in our opinion, it is possible to form a Court for the settlement of international difficulties which shall be composed only of citizens and subjects of two litigant nations. The New York State Bar Association, through its Committee on International Arbitration, some years ago went into this subject quite fully in the report of that committee. I do not feel that there is time at this moment to discuss this question, but I ask the consent of the Conference to have reproduced, for the information of present members of the Conference, so much of the report of the Committee on International Arbitration of the New York State Bar Association as pertains to that subject. I will not detain the Conference with reading this argument, but ask only that it be printed in the proceedings of the Conference. The members will thus be able to consider the subject when the printed proceedings reach them.

No objection being offered to Mr. Jones' request, it was ordered that the extract referred to by him should be printed as a part of this speech. The extract, which is as follows, was a part of the Memorial of the New York State Bar Association addressed to the President of the United States in 1896, recommending a permanent Court of Arbitration for the settlement of international differences which have failed of adjustment through diplomatic negotiations:

"In the outset we find ourselves confronted with a problem of no mean proportions. By the resolution under which the committee is acting, we are expected to devise a plan for the creation of an Anglo-American court, and international

only as between the governments of Great Britain and the United States, while no specific instructions have been formulated for our guidance. It is contended by some members of our Association — men who are recognized among the ablest legal writers and practitioners of the State — that it is quite within the practicable possibilities to create such a court, with only citizens of the two nations to constitute it, and that it is the duty of the committee to formulate such a plan and present it to the Association. As a sub-committee, we find ourselves quite unable to participate in the belief that men of our own or of any profession, in any country, have attained to that ideal state of universal citizenship when, as members of a great international tribunal, they can so forget kindred and country as to sit in judgment, with perfect impartiality, upon the sins of omission and of commission, of their own fatherland. "My country, right or wrong!" may, in the sweet millennial time toward which we trust the world is moving, give place to the wiser and more equitable declaration, "My country, right, but never wrong!" But the boundary lines between nations are still too closely drawn, and the blood flows yet too warmly in the veins of the children of our fathers to contemplate with perfect tranquility the submission of controversies to interested litigants for impartial adjudication.

"We therefore confess our inability to provide any plan by which a court composed of an equal membership of each government can be created to which such differences can be submitted with the expectation that a judgment may be rendered by it that will be respected by both litigants. It would be very like two litigants in a subordinate court selecting an equal number of jurors or arbitrators from their respective friends, all of whom should be personally interested in the outcome of the litigation, and then expect to secure a majority of such court in favor of either party.

"It is manifest that to arrive at any decision and render a judgment that litigants will respect, a majority of the court must concur in its findings. In the first place, a case will not reach a court of the character contemplated until the representatives of the respective governments have exhausted every diplomatic effort to come to an amicable adjustment of the disputed question without further friction than grows out of the seemingly cordial correspondence carried on between the high functionaries of the foreign offices of the two nations. It is only when these agencies prove unequal to the emergency, when diplomacy is inadequate and friendly relations are strained, when — without an impartial tribunal competent to settle the controversy — the time comes when passports are about to be exchanged, that steps will be taken to make a case for submission to such a court. It is evident, then, to the most unlettered citizen of either country, that under such circumstances no case can be successfully submitted to a tribunal composed of an equal number of citizens of the two countries, and that neither nation will consent to the formation of a court in which it will have an unequal voice and influence. If this contention is true, then it must be conceded that it is futile to expect that any beneficial result can be secured from a court evenly balanced between two contending parties.

"The great question of international arbitration is too important, in the eyes of all good men of every civilized nation, to be lightly dismissed, and we feel that every honest endeavor should be put forth to devise some plan for it, even if we must abandon any scheme that contemplates the exclusion of other than English speaking people from participation in the deliberations of such a court and final benefits to be derived from it. We cordially endorse the principle of arbitration, and we believe it practicable and possible. Holding fast to this tenet, we believe that the duty of the New York State Bar Association will not be fully performed until it has exhausted every method within its reach to bring about the creation of a tribunal to which may be submitted all grievances between civilized nations, with the same confidence in the justice and equity of its final decrees as is now experienced in the submission of other contentions to high courts of judicature among the nations of the world.

"While grave differences in matters of judicial proceedings, social customs and modes of thought still exist between the Anglo-Saxon and the Latin races, and, to the casual observer, insurmountable difficulties appear to stand in the way of any closer relations than now exist between nations of so widely divergent

antecedents, we cannot share these apprehensions, and we believe the hour has struck when these two great peoples may be brought into closer relationship. Standing almost on the threshold of a new century, in the closing hours of the old, and looking back over the years that are already compassed within it, we are forced to admit that, in the rapid strides that have been made in the sciences and in many useful discoveries and inventions during its years, improvements in the modes of legal procedure and in the methods of adjustment of menacing disputes, especially between nations, have not kept pace with other civilizing forces. While steam and electric appliances have diminished distances and have drawn nations into closer relations socially and commercially, standing armies still confront us, and the seas are resplendent with steel-plated battleships and brilliantly uniformed navies. We sit *tête-à-tête*, while the knife looks out of our belt and a Winchester rifle or a needle gun stands behind each one of us. Can we change these accessories? That is the question.

"We hold to the opinion that these two great races have reached a stage of development when, in the interests of humanity, a grand effort should be made to create a tribunal that, in time, shall grow into a central international court to which shall be submitted all grave international questions that threaten the peace of nations and the prosperity of the world. As we look abroad and among the nations that are now in friendly intercourse politically, commercially and religiously, we see a growing disposition on the part of the representatives of all these peoples to draw closer together in their general relations, and to minimize the evils that grow out of international disputes.

"Reviewing the situation, therefore, it appears to us, acting as a part of the committee created by the State Bar Association, that we shall not have done our full duty in the premises if we do not present to you a plan by which more than the governments of the United States and Great Britain shall be brought into these closer relations, and eventually submit to an impartial court controversies that cannot be adjusted by diplomatic negotiations. Without waiting further instructions from the committee, we have, therefore, canvassed this subject from the high standpoint of the greatest good to the greatest number, and beg to submit to the committee a plan, which, if adopted, we feel will lead eventually to the results desired."

The Conference then adjourned.

Sixth Session.

Friday Evening, June 3, 1904.

The exercises of the concluding session of the Conference consisted of a Paper by Hon. Robert Lansing, of Watertown, N. Y., Associate Counsel before the Tribunal that settled the question of the Alaskan Boundary, on "The Award of the Alaskan Boundary Tribunal;" Address by Edwin D. Mead, of Boston, Chairman of the Committee on Organization of the Thirteenth International Peace Congress; Address by Hon. Charles T. Dunwell, Member of Congress from New York; Paper by Horace White, on "Richard Cobden;" Address by Hon. W. J. Coombs, of Brooklyn, N. Y.; Remarks of Mahlon N. Kline, of Philadelphia, expressing to Mr. Smiley the appreciation of the business men of the Conference of his courtesy in making it possible for them to be present; Address by Mr. Warner Van Norden, of New York; Address by Mr. T. B. Edgington, member of the bar of Memphis, Tenn.; Address by Mr. Yung Wing, of Hartford, Conn.; Address by Rev. Wilbur F. Crafts, Superintendent of the International Reform Bureau, Washington, D. C. The closing address of the Conference was made by Miss Sarah F. Smiley. Votes of thanks to Mr. Albert K. Smiley and Mr. and Mrs. Daniel Smiley were moved by Hon. Robert Treat Paine and seconded by Dr. Hale.

The President called the Conference to order at 8 o'clock, and announced the Committee to serve on the memorial for freedom of private property from capture on the high seas during war.

The President then read the following telegram which he had just received from President Roosevelt:

"WHITE HOUSE, WASHINGTON, D. C., June 3, 1904.

"HON. GEORGE GRAY,

"*Presiding at International Arbitration Conference,*
"*Lake Mohonk, New York.*

"Permit me through you to congratulate the International Arbitration Conference, and to express my earnest hope for the success of all efforts of this kind to promote peace and justice among the nations.

"THEODORE ROOSEVELT."

The Chairman then introduced HON. ROBERT LANSING, Associate Counsel before the Alaskan Boundary Tribunal, who spoke as follows:

THE AWARD OF THE ALASKAN BOUNDARY TRIBUNAL.

ADDRESS OF HON. ROBERT LANSING.

In the opening of this last session of the Conference, which has been so profitable and enjoyable to all, and for the opportunity to participate in which we are all most deeply indebted to Mr. Smiley, we are to spend a few moments in the consideration of one of the most notable events of the past year in our foreign relations. The Alaskan Boundary Controversy has, as many of you know, been a barrier to the settlement of those other questions — some of them of far greater commercial importance than a few square miles of rocks and ice — which were submitted to the consideration of the Joint High Commission, which assembled at Quebec in 1898, and of which the distinguished President of this Conference was a member. Upon the rock of the boundary of Southeast Alaska that Commission split; and it was understood that, until that question was settled, no steps could be taken to adjust the other differences pending between this country and Canada. For this reason, if for no other, the final determination of the matter is a subject for congratulation.

I shall not attempt to enter into a detailed statement of the positions assumed by the two parties to the controversy upon the seven questions submitted to the Alaskan Boundary Tribunal. To do so, even in a most general way, would occupy more of this session than would be warranted. I shall assume that the facts in dispute are more or less familiar to you all, and shall direct my attention to the particular subject of the relation of the award of the Tribunal to the cause of International Arbitration.

The Tribunal, which assembled at London last autumn, was not technically one of arbitration. In its constitution it lacked the essential characteristic of such a court — the participation of a judge or judges from a neutral nation — by which the members of a tribunal are unequal in number and a final decision is insured. It, nevertheless, partook of that vital quality of arbitration, the settlement of an international controversy by the peaceable method of judicial investigation and determination.

The agreement between two nations to submit a pending dispute to a court, wherein a third nation holds the balance of power, is a triumph of reason over force, which exceeds the submission of such a dispute to a commission whose members are equally divided between the litigant powers; but the rendition, by an equally balanced tribunal, of an award decisively in favor of one government and decisively against the other, is a still greater victory for those principles of equity which should control the conduct of nations in their relations with one another. It is for this reason that the work of the Alaskan Boundary Tribunal is of peculiar interest to the members of this Conference, who may see in it the possibilities that lie in the high sense of duty which controls American and British

commissioners, charged with the determination of a question according to those rules of natural justice which are fundamental to the systems of jurisprudence of both nations.

When it was announced a year ago last January that Secretary Hay and Sir Michael Herbert had concluded a convention submitting the Alaskan Boundary Controversy to a joint commission (for it was that and nothing more), the proposition was accorded a most pessimistic reception by Americans and Canadians alike. I believe that there was scarcely a person in the United States or in the Dominion who thought that a tribunal composed of six members, three from each country, would, or could, do more than clearly define the issues between the disputants and bring out the evidence upon which each relied to support its contention. Such a result would, nevertheless, have been a decided gain, since it would have prepared the way for a more comprehensive and satisfactory discussion of the question than that which had followed the meetings of the Joint High Commission, and perhaps it would have led to a diplomatic settlement. This was a natural conclusion as to the benefit which would result from the new commission, in view of the state of public opinion in this country and in Canada.

The boundary of Alaska has been a subject of discussion for several years by the public men and writers of both nationalities. It had been fruitful of ingenious arguments and theories, which had been advocated with zeal and fervor. Harsh criticisms of motives had engendered a bitter feeling, which increased in bitterness as the public became more familiar with the arguments urged and the interests at stake. The general belief in this country was, that the Dominion government, induced by the desire for an ocean communication with the newly-discovered gold fields of the Klondike and by the persistent demands of British Columbia, had trumped up a fictitious claim to territorial rights on the Alaskan coast; and that this claim had no foundation, in fact, but was based upon a very strained interpretation of the terms of a treaty—an interpretation that was contrary to the meaning which Great Britain had accepted for seventy years.

In Canada the belief was equally strong that the United States was occupying those harbors on the Alaskan inlets most accessible to the new El Dorado, without right under the Anglo-Russian Treaty of 1825, which demarked the boundary; and that, in spite of the fact that the line had never been surveyed, the American government was unwilling to submit its title to the harbors to a judicial investigation. These two beliefs, advocated with increasing partisanship and becoming every year more firmly fixed in the public mind on either side of our northern frontier, made the amicable adjustment of the controversy more and more difficult for the statesmen who were endeavoring to remove it from the field of discussion.

Canada, being out of possession of the coveted ports, very naturally clamored for an arbitration of the questions involved. The government of the United States, on the other hand, declined to

arbitrate, knowing that the assent of the Senate could not be secured to a treaty of that character, in view of the popular idea that Canada's claim was wholly without merit. It was apparent that the people of this country, convinced that their rights were unquestionable, would never consent to place in jeopardy their title to any portion of Southeast Alaska, which they had occupied, governed and developed for a period of thirty years.

However, this government was as solicitous as was the British government of finding *some* method to remove this barrier to the settlement of other questions in our relations with Canada. It was in accord with this mutual desire that the Hay-Herbert Treaty was negotiated.

Even the form of judicial settlement which this treaty provided was not at first received with much favor in this country, and for a time considerable anxiety was felt by those who believed that it offered a possible solution of the difficulty, lest it should fail in the Senate. There seemed to be a prevalent opinion that *any* submission of the dispute to international commissioners would be a recognition of some merit in the Canadian claim, a concession which the American people were very loath to make. It shows how intensely biased the public mind had become upon the subject, and how wisely the government acted in declining to negotiate a treaty of arbitration.

In the belief that Canada was without a claim which could be legitimately advanced, the American people labored under a decided misapprehension, and I believe I am not far wrong in saying that the same erroneous impression generally prevails to-day in regard to the Canadian case. Canada unquestionably had good reason to ask for a judicial settlement of the location of the Alaskan boundary. Let me very briefly state the facts.

In 1825 Great Britain and Russia delimited by treaty their North American possessions, and the terms of that treaty were copied *verbatim* in the treaty of 1867, whereby Russia ceded her territory to the United States. By that treaty-description the boundary of Southeast Alaska was to follow the "crest of the mountains" parallel to the coast, unless these receded more than ten marine leagues from the ocean, in which case the boundary was to be a line parallel to the "sinuosities of the coast," and not more than ten marine leagues therefrom. This boundary, as I have said, has never been laid down upon the ground, and the region through which it passes has been but partially surveyed. The treaty seemed to predicate a chain of mountains along the coast and approximately parallel to it. As a fact, however, no such chain exists. Where, then, was the boundary line to run? The region is covered with a confused mass of peaks and short ridges. Which were the ones intended by the treaty?

An alternative line was provided in case the mountains were at a greater distance than ten marine leagues from the ocean, which line was to run at a uniform distance from and parallel to the coast.

Did that mean that the boundary was to be so drawn when the mountain chain failed altogether? And, if it did, what was meant by the word "coast?" Did it mean a line along the continental waterfront crossing all inlets not exceeding six miles in width? So Canada claimed the word should be interpreted. Or did it mean the line where salt water touches the land, thus winding around the shores of all bays and inlets irrespective of their length and breadth? This was the American claim. You see that the answers to these questions are fair subjects of controversy, and that the language of the treaty is open to either interpretation. Only a judicial investigation of evidence could satisfactorily determine what Great Britain and Russia intended when they signed the boundary convention of 1825.

In view of this condition of affairs it was manifestly wrong to sweepingly condemn Canada's claim and to brand it as absurd, frivolous, and absolutely without foundation. Yet that is what nine-tenths of our citizens did *after* as well as *before* the London award was rendered. Incomplete knowledge of the facts, and opposition to the extravagant claims of some Canadian writers excuse in a measure the uncompromising view taken in America of the Canadian case, and yet they cannot justify it.

The long and unopposed occupation of the territory by Russia and United States, which played so prominent a part in creating antagonism to a settlement of the question by arbitration, and which, with maps drawn *after* 1825, formed the basis of most American arguments on the subject, was not given the prominence by the Tribunal that it had previously occupied in the public mind. The question was the intent of the parties. What took place *before* and not *after* the boundary treaty signed eighty years ago was the pivotal evidence of the controversy. Fortunately for the United States, a careful analysis of the negotiations which preceded the treaty left but little doubt as to what the contracting powers intended.

I have called your attention to the prevalent opinion which has existed concerning the Alaskan Boundary to explain why the United States government could not attempt to submit the subject to arbitration; and I have referred briefly to the salient features of the case before the London tribunal to show that the commissioners, in passing upon the uncertain terms of a treaty, acted in a manner as thoroughly judicial as if a neutral umpire had participated in their proceedings. An award under such circumstances — circumstances which the consensus of opinion declared to be hopeless of a settlement — is the strongest proof of the practicability of international courts as a means of obtaining a just determination of rights, when these courts are composed of men of integrity who realize their duty and perform it without favor.

The past, unfortunately, has been replete with instances in which judicial decisions have been reached through compromise and concession, methods of adjustment inimicable to absolute justice and

destructive of popular confidence in the settlement of disputes between nations through the medium of juridical procedure. Compromise and concession are the legitimate instruments of diplomacy, but never of courts of justice. By demonstrating to the people of this country and to the world that an impartial and uncompromising decision may be secured, even from a body of judges equally divided in their national sympathies between the litigant nations,—by demonstrating this, the Alaskan Boundary Tribunal has performed a distinguished service in the cause which this Conference is striving to advance.

The spirit of justice and the respect for the rule of law which is inborn in the two great English-speaking nations, have been shown to be supreme, even when political advantage and material interest and national pride are weighed against them. An award such as was rendered at London without compromise, without political bartering, upon the evidence and in strict accord with the principles of natural justice, is at once an argument and an appeal for the adoption of a uniform system of judicial settlement of all disputes which may hereafter arise between the United States and Great Britain.

Remove from the public mind the suspicion that international awards are dictated by policy and not by justice, the suspicion that international courts are directed by intrigue rather than by conviction, the suspicion that international judges are influenced by selfish interest rather than by impartial judgment — remove *these* suspicions and the opposition to a treaty of general arbitration will shrink to the few who cherish the memory of grievances long passed and the traditional prejudices of birth.

The other objections to such a treaty relate chiefly to matters of procedure. The *ex parte*, or independent, collection of evidence, the impossibility of cross-examining witnesses, the lack of power to compel the production of documentary proof in the exclusive possession of the opposite party, are examples of objections of this class, which are not without some merit, but which can, and, I believe, *will* be remedied as soon as arbitration becomes a permanent institution among nations, and the faults of the present methods are more fully realized.

The effective opposition to the general adoption of international arbitration does not arise from these minor objections, which can be cured, but from the suspicion, the doubt, the feeling of uncertainty which exists in men's minds as to whether or not justice will be fearlessly and impartially administered by an international court. It is by dispelling in large measure this prevalent impression that the Alaskan Boundary Tribunal has done much for the general principle of arbitration. It has done even more in creating a strong sentiment in this country favorable to an Anglo-American convention along the lines of the Olney-Paunceforte Treaty, which failed of senatorial approval, *chiefly*, I believe, because of popular distrust in its provisions as a *certain* means of justice.

To change in any appreciable degree the current of public opinion,

that intangible but potent factor in moulding governmental action, from opposition to approval of a more general resort by this country to international arbitration is a splendid memorial of work well done. This I believe to be the fruit which the award of the Alaskan Boundary Tribunal has borne and is to-day bearing throughout this Republic. And I know of no higher tribute that can be paid to the distinguished members of that Tribunal, who rendered that award, than to recognize in their faithful performance of duty a powerful factor in the advancement of the cause of International Arbitration.

EDWIN D. MEAD of Boston was then introduced, and spoke as follows :

THE INTERNATIONAL PEACE CONGRESS.

ADDRESS OF EDWIN D. MEAD.

Mr. Chairman, Ladies and Gentlemen : We met here last year in the week of the Emerson Centennial, when all America was celebrating that sacred anniversary ; and we remembered here Emerson's illuminating address upon "War," and the lessons which he taught the American people upon the difference between true patriotism and false, and as to what the duties are which a man owes to his country and owes to mankind.

We meet here to-night upon the centennial of the birth of the greatest Englishman, I think the greatest English-speaking man of affairs who has ever rendered service in the commanding cause in whose behalf we are here together. Richard Cobden was born one hundred years ago to-day. All over England to-day celebrations are being held in honor of this centennial. In my own city a meeting is being held in its celebration at this moment by the friends of peace and international fraternity ; and I trust that there are many such celebrations in this broad land.

I call Richard Cobden the most influential of all English-speaking men in this cause. I do not mean that he was the most indefatigable in its service. We remember Richard in England ; we remember Channing and Sumner. There are many who have been his peers in devotion. But he championed this cause of peace and arbitration and rational international relations with that special philosophy and along those special lines which gave his opinions and his teaching special force with a world so commercial and business-like as ours. He saw as no other man of his time saw, and enforced it with greater power and clearness than any other has ever done, that these great questions of Peace and War were the fundamental questions too of commercial and industrial organization, that they could not be dissociated from the burning questions of labor and of trade relations which up to this hour have kept pressing more and more for right solution.

All honor to Richard Cobden on this centennial day ! I think of

him especially at this hour, as I ask your interest in the International Peace Congress which meets in America this year; for he was the conspicuous English figure in the great International Peace Congresses of the middle of the last century, which were the most important International Peace Congresses which the world has seen. He did not take part in the first Congress, that of 1843, in London; he was not present personally at the Congress at Brussels in 1848, although his letter to Joseph Sturge which was read at that Congress was one of the most impressive words there introduced. But he was the leading and most influential English representative at the great Congress at Paris in 1849; and he presided at the meeting at Versailles that week, where the seven hundred English delegates entertained the American delegates who were present. His exhortation to America on that memorable occasion, never to allow herself to become a rival of the great powers of Europe in the war systems, was a word which we may profitably read to-day; it is a word to bid us pause. At the Congresses of 1850 and 1851, the Congresses of Frankfort and London, no more powerful word was spoken than his; and his speeches at the Congresses of Edinburgh and Manchester in the two following years were among the strongest he ever made.

That simple Connecticut scholar, Elihu Burritt, to whom our obligations are so deep, and so inadequately recognized, was the really controlling spirit of those great European Congresses, from 1848 to 1851. It was to him primarily that they owed their impulse; and in them all he always stood for one thing. While other men talked of the horrors of war, and others still talked of disarmament, he talked of arbitration, of the definite provision of an efficient system of legal and rational procedure, which, once in regular operation, would gradually supplant war and make it unnecessary. So persistently and almost exclusively did Burritt and his American associates emphasize this side of things, that the idea of a permanent international tribunal was commonly spoken of everywhere in Europe in those days as "the American plan." And American plan it was, not primarily at all the plan of a Russian czar; although all thanks to Russian czar and everybody else for everything they have done!

The history of those old Peace Congresses will be remembered, and why it was that there was a long break in them from 1853 to 1889. Since 1889 they have been held regularly, with but two or three years skipped; and the Thirteenth Congress meets in America this year.

The Congress at Rouen last year registered a distinct advance over any of the immediately preceding Congresses. To us Americans who were present it was impressive, especially because of the testimony borne there to the influence of America in international arbitration and the success of the Hague Tribunal. It was Baron D'Estournelles, the leader of the arbitration movement in France, the organizer of the great International Group in the French Assembly, who said that, had it not been for the action of our

government in the Pious Fund case, and especially in the Venezuela case, the delay in the general use and in the prestige of the Hague Tribunal would have been the delay of a decade; that it was to the State Department and the President of the United States that the world owed most for getting this great institution into successful operation. This high European testimony is something for us Americans to remember here to-night with gratitude and pride.

Next autumn, I say, the International Peace Congress comes to the United States. It comes to Boston. And that Boston may not be exalted above measure, I ask you all to help us to be humble in the matter and to see that your services equal ours, and if you can surpass them, so much the better. For this is not a Boston Congress, but an American Congress — an International Congress in America. A good many things of one kind and another have been said about Boston here. We are used to it, and rather like it. It tickles folks of a certain sort, and does not hurt us. I suppose that the reason why Boston is sometimes thought a little proud and distant and condescending — “condescending” is the word — is because we have to pay the penalty of the conduct and character of some of our predecessors. Boston has always been poor in broad-minded, public-spirited and patriotic men. The last generation of Boston reformers especially were a peculiarly ignoble and arrogant set. We know as well as the rest of you that Sumner and Channing and Parker and Garrison and Phillips — to say nothing of the poets, Emerson and Lowell and Whittier — were men who were peculiarly jealous lest anybody outside of Boston should get any credit in any good cause. And I suspect some of us have had to pay the penalty from that time to this. [Laughter.] But I want to say that the generation of peace men in Boston at this time are really very humble men. Hale, Paine, Trueblood, Capen, Lincoln — they are our leaders, and here they are — are a peculiarly humble set of men; I wish to assure you of it. We know, as you have found out, that they are an unsociable lot, cold, unkindly, afflicted by hauteur and “condescension,” and all that sort of thing. We wish they knew how to be agreeable like the rest of you. But I wish you to know that it is simply their bad inheritance. It is outside and not inside. They want to be agreeable, their hearts are humble, but they are under terrible constraint. It is a good thing to get them here to Mohonk, into the companionship of Presbyterian elders and deacons, citizens of truly good cities, to thaw them out and make them human like other people.

We in Boston want you all to make this Congress your own. Some of our own people have been generous in giving money. I see one Boston man here who gave \$500, and another who gave \$1,000, and so on, and others will keep giving. But I don't want you to let them plume themselves upon the idea that they are very generous men. We want you to help humble them more. We have raised all but \$12,000 of the \$20,000 which we have to raise, and we want you all

to help us raise the rest. The \$20,000 which we want for this International Peace Congress is just twenty days' interest at six per cent. on the cost of an average six-million-dollar battleship! We want the money raised and the Congress made a conspicuous and memorable success.

These International Congresses are for education. They will discuss the question of disarmament, and all the questions which affect the world's peace. If Richard Cobden could have come into this room and heard it intimated that when men were talking about smaller armies and navies they meant it as a fling at the old soldiers, it would have amazed him; it would probably have occurred to him that by the same token the men who worked for the Australian ballot were casting reflections upon Edmund Burke, because he happened, before the Reform Bill, to represent a "pocket borough"! Education is surely needed along that line. We are going to push education along all these lines,—that is what the International Congresses are for,—to create a public opinion which will enforce disarmament and enforce arbitration. Disarmament will be preached energetically, and it seems to me there is crying need of it. But I do think, with Burritt and the men who stood for "the American plan" in the old Peace Congresses, that the great thing is still that which has always been emphasized at these Mohonk Conferences—the creation and strong development of legal procedure and that rational international organization which will in time make the war system wholly unnecessary and impossible.

It has been said here more than once this week that we shall never see the old system change so long as human nature is what it is. Now, the blessed thing is that human nature is never the same thing two years running. It is not this year what it was last year, and it is a vastly different thing from what it was in the age of the cave man. Stocks and stones never change their nature; a jackass never changes his, and the American eagle will scream just the same a thousand years hence as it screams to-day. But man a thousand years hence will have a very different nature from what he has to-day, as he has a very different nature to-day from what he had a thousand years ago. He is pushing on unto perfection, and it is the function of education to push him there faster, to help him supplant barbarism by reason just as quickly as possible. In the advancement of the peace and order of the world the International Peace Congresses play the leading educational part. Let the coming Congress be larger, stronger and more influential than any which have gone before. We are to have strong delegations from France and England, and there will be representatives from Germany and most of the European States, as well as from South America. It is for us in the United States to do our own part as befits our honorable history in this great cause. [Applause.]

THE PRESIDENT: Before announcing the next speaker I desire to

submit to you the following telegram in reply to the one that was received from the President and read in your hearing :

“MOHONK LAKE, June 3, 1904.

“*To the President, Washington, D. C. :*

“The Mohonk Conference on International Arbitration desires to express to President Roosevelt its hearty appreciation of his telegram just received. We pledge to him our support in all efforts looking to the making of treaties with other nations for the settlement of all questions of dispute by arbitration.

“GEORGE GRAY.”

- If there is no objection, this will be sent as a telegram from this Conference. The Chair hears none, and it will be sent. [Applause.]

The next speaker was HON. CHARLES T. DUNWELL, whose brief remarks were as follows :

THE GREATEST QUESTION BEFORE THE WORLD.

REMARKS OF HON. CHARLES T. DUNWELL.

Mr. Chairman, Ladies and Gentlemen ; I had not intended, when I came here, to have a single word to say to you, because there is nothing, probably, which I could add to what has been said in this great meeting. But I do feel that I should not allow this occasion to pass without expressing my gratitude to our honored host for the privilege of being with you.

I am very glad to see in this Conference not only the men, but the women of America [applause], for there has been no great movement in the world's history in which sooner or later the hand, the heart and the work of woman have not appeared, and I believe that with the earnest help of American women this great movement can be made a grand success.

We here are considering probably the greatest question which is now before the world. The peace of the world is something for which all men and all women in all nations all around the world should contend, and contend most heartily. War will continue until the feelings and the disposition of the people of the world can be changed, and the way to do that is by such conferences as this, where the thoughtful men and women of great nations come together to forward the movement and bear it on to success.

I believe that with continued conferences here and with the assistance of the thoughtful minds of America, the time is surely destined to come when “Peace on earth and goodwill to men” will be successfully ushered in.

The President next called upon HORACE WHITE of New York, who read a prepared address on Richard Cobden. His excellent address dealt with Cobden's services in general rather than with arbitration, and is therefore not given in this report.

HON. WILLIAM J. COOMBS, of Brooklyn, next spoke as follows :

NECESSITY OF THE CODIFICATION OF INTERNATIONAL LAW.

REMARKS OF HON. WILLIAM J. COOMBS.

Mr. Chairman, Ladies and Gentlemen: It has been my province heretofore to address you upon the subject of "Commerce Related to Peace." I am relieved of that necessity this year by the presence of so many men eminent in the business world, representing so many commercial bodies, who in their earnest addresses last evening covered every point of interest.

We may congratulate ourselves upon the fact that business men have taken up the question of international arbitration in earnest. They will bring business methods to bear in their efforts to accomplish results. Furthermore, their identification with the movement will effectually dispel any lingering suspicion in the minds of the people that arbitration is simply a dream of enthusiasts or a theory of idealists.

The Committee on Platform have each year correctly and conservatively interpreted the sentiments of the Conference. We find in comparing the Platform of two years ago with that of last year an advance in its position. This year a further and important advance is made in the recommendation of an International Advisory Congress, composed of eminent representatives of all nations, *appointed by competent authority* to discuss matters of common interest and embody its decisions in reports to the various participating governments. There can be little doubt that such recommendations would be confirmed by treaties, and become part of the recognized laws of nations.

The rapid transformation of the ideals of one year into the practical matters of another gives us grounds for hope that even further advances may be recommended when our Conference assembles in 1905. I venture to submit for your consideration during the intervening months the suggestion of an effort to secure an International Conference of eminent students of International Law of all nations, with a view to the codification of those laws. I need not explain to you that as they now exist they are composed of precedents, and for the most part of informal agreements, which have accumulated within the last three centuries. Their interpretation is not uniform, and is colored by the nationality of the interpreter. Voluminous treaties have been written upon them by eminent scholars of England, France and our own country; all of them are regarded as more or less authoritative, but none have the force of recognized law. It is high time that they should be simplified and mutually agreed to.

An eminent writer has said that "all nations are alike interested in ascertaining the rules to which they have assented in general terms." There is no doubt that he is correct, and furthermore, that in periods of stress much time would be saved and many complications averted

by ability to refer to a recognized code in settlement of disputes. The Tribunal of The Hague would also, in its decisions, be guided by its provisions.

How can it be accomplished? If this Conference, at its next session, thought it advisable, the President could be petitioned to issue an invitation to foreign powers to send their best scholars and representatives to Washington or to The Hague, to confer upon the subject, and if possible agree upon a codification of existing laws to govern them in their relations with one another, which code would then be submitted to the various governments for ratification by treaties. If this is accomplished we shall have an Advisory Congress, to treat new conditions as they arise; a code of well-understood laws, and a tribunal (at The Hague) to apply them; in fact, a real *Confederacy of Nations* in the interests of humanity, realizing the dreams of the idealist and the hopes of the philanthropist. We do not worry because there is no executive in the scheme of the confederacy with army and navy at its command to enforce its decrees. Public sentiment is, in the present condition of the world, more powerful than they. The efforts made by this body during the past ten years to educate public sentiment have raised up a standing army that rulers cannot ignore. So I congratulate you as being in the drill room of the great white army.

I know that we shall all be disappointed if Mr. Smiley does not announce, to close the Conference, the hymn "God be with us till we meet again." Let us say in our hearts, "God keep our country and the world from further entanglements until we meet again."

MR. MAHLON N. KLINE: There has been assigned to me, by the business men who had their meeting this morning, the very pleasant duty of expressing in their behalf to Mr. Smiley their appreciation of his courtesy in making it possible for them to come here and to participate in this tenth annual Conference.

I believe the Platform states—Judge Gilbert stated, at least—that we are proceeding along natural lines in this work. I am reminded to say, in this connection, that the power of electricity existed before Benjamin Franklin floated his kite, or before Edison and others made it possible to apply that force to the machinery of the world. But there is no less credit due to Benjamin Franklin and to Edison and to others because we now know that what they did in that connection was along natural lines. And while it is true, and the business men believe that it is true, that these forces which have been brought together here in the interest of international arbitration existed before they were focused at Mohonk, all will agree with me that it is to Mr. Smiley that we are indebted for bringing these forces together so that they are making themselves felt to-day throughout the world. [Applause.]

I was present upon an occasion about ten years ago when Bishop Potter related the following incident. He said there had died in Grace Church Parish, of which he was at one time the rector, a man

who was very highly thought of, and after his death and burial a meeting was called in the vestry room, and the gentlemen present rose, one after another, to pay their tribute to the departed. It was noticed by some one presently that peering through the door just slightly ajar was the face of a woman, evidently feeling an intense interest in the proceedings, dressed in deep mourning; and, after a while, as one man after another rose, she could keep still no longer, but came into the room and said: "Gentlemen, if you thought so much of my husband, why didn't you say so while he was alive!"

It is a very pleasant privilege for us to bear testimony to the services of the man who has talents and who applies them in the interests of humanity in the way that will be felt in this country throughout the future ages. And so, Mr. Smiley, in behalf of my associates, the business men, it affords me great pleasure to extend to you our thanks for making it possible for us to be here, for giving us the inspiration to go out and endeavor to further this work, and to express the prayer which is in the minds of each, that you may live for many years, and that we may have the pleasure of returning here to continue with you this effort to bring about the peaceful settlement of differences between nations. [Applause.]

MR. WARNER VANNORDEN: *Mr. President*: I have no speech to make; I am only the mouthpiece of the delegates from New York, who have resolved to form an organization to carry into effect the idea of bringing to bear upon public opinion influences which would strengthen the desire for international arbitration.

We believe that it is possible to secure the approval of our Chamber of Commerce, which was represented last night on this floor by one of its most distinguished members, Mr. A. Foster Higgins. I do not think that I am affected by local pride when I say of the Chamber of Commerce of New York that, by reason of its constitution, its unusual membership, and its being located in the financial center of this country, its adherence to this cause is of more importance to us than that of any other Chamber of Commerce in the United States.

The American Institute of Social Service, of which Dr. Tolman and Dr. Strong are managers, is working along similar lines, and we have been offered, through Dr. Tolman, their assistance. Dr. Strong is now abroad in connection with the Congress to meet next October in Boston.

We believe that if this movement is successful in New York, its example will be followed by other cities throughout the country, and that it will help forward the work for which we are meeting here in conference at Mohonk. [Applause.]

T. B. EDGINGTON of the Memphis Bar was next invited to address the Conference.

PROBLEMS OF THE LATIN-AMERICAN REPUBLICS.

ADDRESS OF T. B. EDINGTON.

Mr. President, Ladies and Gentlemen: I esteem it a very great honor to be here present with you, and to be recognized as a member of this body of distinguished citizens.

I would not have undertaken to speak to-night, if the Committee had not made a point of it that they desired to hear from some gentleman from the South. I came many miles from my Southland home to join you in this meeting, and I must say that it is good to be here. It is good to receive the hospitalities of our host; it is good to breathe the mountain air of the Catskills; and it is good to dream dreams with the people of Boston. [Laughter.] Abou-Ben-Adhem-like, they are bright dreams of peace. May God speed the day when peace may come to remain with us and with all nations.

You have referred to our section of the country. We have had our troubles—they have been troubles of free labor and of slave labor. Those troubles are happily past, although we must deplore the dreadful method of their solution. While that is true, other problems, perhaps of less moment and more easy of solution, are before us. You have your troubles of capital and labor. The South is a very conservative body of people, contrary to the opinion of a great many people in this section. The Southern people are conservative in their views, and conservative in their statesmanship, and when your troubles between labor and capital grow so great that you can't solve them, we will come and solve them for you, and let you solve the race problem for us. [Laughter.] And, indeed, when you have solved the race problem to your satisfaction and our own, we will go one step further in settlement of the difficulties between labor and capital in this country,—we will build a bridge across that gulf that seems now to be impassable between Lazarus and Dives, so that both may pass and repass each other in happiness and contentment; and, indeed, lift their hats in deferential recognition of each other as they pass.

Your discussion of international arbitration has related for the most part to its European aspects. Let me say, in my opinion, that the greatest international problem is that which relates to the South American Republics. You all remember that in the year 1861 Great Britain, Austria and France sent their constable over here; Mexico had defaulted in the payment of her interest upon the public debt and her mortgages upon church property which had been confiscated. This was the first appearance of the European constable in this hemisphere. In the year 1903 this country witnessed the second advent of the European constable, sent this time by Great Britain, Germany and Italy. Unlike the constables in this country, who are protected by Providence,—that Providence which protects children and drunken men,—on each occasion he came with great pomp and circumstance, and with a great navy and great army to protect him.

The constitution and laws of Salvador practically deny, in express terms, the right of foreigners to seek redress by any application to their respective governments. Most, if not all, of the Latin American Republics have provisions in their laws of a similar character, and where the laws are not sufficiently stringent, the same provisions are sometimes embodied in contracts.

Starting out with the conceded principle that foreigners must obey the laws of the country in which they are domiciled and do business, these republics have attempted, through the instrumentality of municipal regulations and statutes, to cut foreigners off from the right to appeal to their own government for redress except under absurd and unjust restrictions. Other rights of foreigners who are domiciled and do business there are taken away in like manner. Superadded to these disabilities is the principle that no nation has the right to use force in the collection of the obligations which are past due from other nations to its subjects or citizens. This general system will be known in the future as the Calvo Doctrine, from the name of its author, Carlos Calvo, a distinguished publicist of the Argentine Republic, and who is hailed throughout Spanish America as the great international lawgiver for the Western Hemisphere. Spanish America has thus acquired a public policy which is opposed to the public policy of Europe and the United States. These conditions in this hemisphere may be personified as the sick man of Latin America. Foreigners are to have no rights which can be taken away; foreign nations are to have no right to redress the wrongs of their subjects. This condition of things south of us becomes a matter of grave concern to the United States.

The "Sick Man of Europe" will never get well until the Bible supplants the Koran in Turkey. The sick man of Latin America will never be restored to health until he has submitted to some severe operations and taken some very unpalatable medicines.

Time presses upon me and I cannot elaborate these propositions any further. I will yield the floor by commending to your favorable consideration the sick man of Latin America. [Applause.]

The next speaker was HON. YUNG WING of Hartford, Conn., formerly Associate of the Chinese Embassy at Washington, whose remarks were as follows :

THE MANNER IN WHICH THE WESTERN POWERS HAVE TREATED CHINA.

REMARKS OF HON. YUNG WING.

Mr. Chairman, Ladies and Gentlemen : I must thank Mr. Smiley for having invited me to be present at this Conference, and also for his generous hospitality.

Speaking from an individual point of view, and that, too, on my own responsibility, I may safely say that China would be too glad

to see a World's Tribunal established on some practical basis, which shall be clothed with authority to exercise an obligatory power upon all nations, to refer all international differences and disputes to its adjudication, and thus do away with war altogether.

From early antiquity China has been well known to be peaceful and not warlike. Attila of the Huns in the fifth century, Genghis Khan and his descendant, Tamerlane of the Mongols, in the thirteenth century, though of Asiatic origin, must not be confounded with the Chinese branch of the Mongolian type. Ages before the appearance of these warriors, who may justly be characterized as "Scourges of God," China had already passed through the mythical and primitive stages of her national existence, and built up a highly civilized state on recognized principles of practical ethics, as taught by her sainted emperors and sages. These principles are harmony and order, peace and justice, crowned with the recognition of the brotherhood of mankind. They are not only found closely interwoven as warp and woof in the social and political fabrics of the nation, but the whole body of Chinese literature and philosophy is saturated with their spirit. Their influence and inspiration have practically modified an absolute patriarchal system of government into what might be called a patriarchal democracy, whose simplicity and leveling tendencies have relieved China of the incubus of a classified hereditary nobility and castes. It has opened up a system of representation of the people in the government, not by popular ballot, but by popular education, which supplies the government with officials who have reached their positions through a system of competitive literary examinations. Such is the broad and simple way by which the patriarchal democratic theory has been carried out in China during the period of twenty-six dynasties.

While her peculiar civilization, and notably her unique language, which is not known to have any cognate relation to any of the European languages, have, in a great measure, tended to prolong her life and preserve her territorial integrity, China's geographical position, in no small degree, had contributed to isolate her from the rest of the world, which naturally gave her an overweening confidence in her immunity from foreign aggression and invasion to which she might have been subjected had she been situated anywhere near Europe, where nations had to fight for their existence, or where martial glory is always held in high estimation.

Being thus cradled in peace and plenty even up to the early part of the nineteenth century, there was really no incentive for her to develop her martial spirit, which naturally declined, and lapsed into a dwarfish and stunted state. In fact, she held that the warlike spirit, if given free scope and predominance among the people, would prove detrimental to the fundamental principles upon which the government is founded, and for this reason the military is always kept well in hand, and made subservient to the civil power.

This policy served its purpose well enough as long as China was left to herself, but the time had come in which she was not to be left

alone. The nations of the West, in the early part of the nineteenth century, pressed hard upon her from without. Her policy of peace and passiveness was of no avail to safeguard her independence and territorial integrity. Her love of peace had no value with nations who thirst after wealth, crave for power and hunger for territory. She found, too, to her great cost and sorrow, that according to their faith mankind was divided into two distinct classes, starting at the outset with the epithets of Jews and Gentiles, and subsequently broadened into those of Christians and heathens; the one standing for the sons of God, the other the children of Belial. This groundless assumption carried with it the preposterous absurdity that the heathen may be despoiled of their inheritance, and are not entitled to equal justice, equal rights and equal freedom. The growth of these gratuitous and groundless assumptions has worked untold mischief on China.

First of all, the Christian nations have claimed the right to trade in China and to trade under their own jurisdiction, and under a tariff of their own dictation. Imagine to yourselves the case of strangers who drop on your shores without invitation, and insist on exchange of goods. Among the articles exchanged there was one which was found poisonous to the people, and was prohibited as contraband. From the immense profit it brought, it was systematically smuggled, till open war took place. This was the first opium war, waged in 1840, to force the drug upon the Chinese. The second opium war took place in 1860, by which opium was legalized. Two treaties that followed their close are all one-sided affairs, and are destitute of reciprocity. Besides, the doctrine of extritoriality is claimed, by which foreigners in China, either for purposes of trade or of propaganda, are exempt from Chinese jurisdiction.

In the next place, the extritorial claim has already encroached upon the independent sovereignty of China by establishing an *Imperium in Imperio* in her jurisdiction.

Following close in the wake of the two opium wars came the conquest and annexation of Tonquin by France, the forcible occupation of Kiao Chou Bay by Germany, and the deliberate and shameless seizure of Manchuria, Kirin and the Liao Tung Peninsula by Russia.

In this brief sketch I have tried to picture to you the condition of China before the nineteenth century, and her present condition since Western nations came in contact with her. The whole story is but the old one of the "strong against the weak," of "might against right" and of the "wolf and the lamb."

As I said at the outset, China would be too glad to see a World's Tribunal for arbitration established, so that she may avail herself of such an institution to present her claims for adjudication without recourse to war. But I am not sure that with the world bristling with the instruments of destruction all around her, it may not be a matter of policy, as well as necessity, for China now to follow the example of her neighbor, Japan, and begin to develop her martial spirit as the only sure means of preserving her national life.

REV. WILBUR F. CRAFTS, Superintendent of the International Reform Bureau, Washington, was next called to speak. His remarks were as follows :

HOW THE SUCCESS OF OUR CAUSE MAY BE SECURED.

REMARKS OF REV. WILBUR F. CRAFTS.

Let none of us be disturbed by the opposing opinion expressed here. I am glad this is not like those political conventions for which everything is done in advance but the shouting. At such a convention, a few years since, a reporter approached a delegate, pencil in hand, anticipating from his intelligent countenance an interesting interview. "What do you think of free silver?" "Young man, I am not here to think. I'm here to holler." We are here to think, and so we differ. But I note a surprising unanimity on the two main points, the far-off goal and the next step to take. The goal, we have unanimously voted, is an international supreme court where all quarrels between nations that cannot be settled by diplomacy shall be adjudicated, with international public opinion as the sufficient agency for the enforcement of its decrees. The next step to take is the one suggested by Commissioner Macfarland, namely, to ask the President, through the Secretary of State, to submit, at the very opening of the next session of Congress, arbitration treaties with France and England, meantime assuring him that public sentiment approves and desires such action, which can be done through public meetings held all over the land, and by petitions and individual letters.

Close after that should come the step suggested by Congressman Bartholdt, the passage of the resolution pending in Congress that would empower the President to call an International Advisory Congress of many nations to consider arbitration and also the gradual lessening of armaments. Senators and Congressmen, many of them already committed to this policy, have a right to know whether public opinion is ready for this advance, and this can be shown only by a mail box of brief letters, with which, as an infantry volley, should coöperate petitions as artillery, and telegrams as cavalry, and influential deputations as sharpshooters. Legislators will be "too busy" to read Mohonk reports unless greatly interested, but a deputation filled with Mohonk facts and arguments will be attentively heard and will create the interest that will lead to such reading. With that resolution in Congress, if we have seen our legislators on the subject in advance, we may get the endorsement by Congress of the proposed international convention to codify international law and also upon the proposal of Mr. C. H. Butler, Clerk of the Supreme Court, that by a world treaty unoffending private property at sea, not contraband of war, shall be exempted from seizure.*

* A resolution favoring the exemption of private property at sea from seizure during war has already passed Congress (Public Resolution No. 35), and only the President's approval is needed to commit our government to the principle.

What we want can undoubtedly be secured next winter, so far as our government is concerned, if each one who desires such legislation will vote his or her fraction of public sentiment in the mail box before Congress convenes, or speak a personal word to the legislator living nearest to you. By such efforts those with whom I am associated in promoting legislation carried sixteen acts of government in the interest of social ethics in thirteen weeks, at the crossing of the century mark. And in sixteen years of this legislative work I have never known Congress to refuse to pass a measure which the people asked for by an adequate vote of petitions and letters. Our Bureau has carried eight important measures of its own in Congress and defeated another in nine years, besides many lesser victories. This year we shall make arbitration, always one of our objects, our foremost work, in coöperation with all the forces represented here.

On this subject of arbitration many of us are united who do not see alike on some "moral questions;" but I should like to remind those who are battling as my allies against the great vices, that because "war is hell," as General Sherman said out of abundant observation, the "war against war" should be recognized as one of the "moral reforms," since every war promotes intemperance, impurity, gambling and Sabbath-breaking, besides lessening the sacredness of life and property. It is an illustration of the Church's individualistic and fragmentary treatment of ethics that it is more offended by an individual soldier's intemperance and other vices than by the wholesale sin of unnecessary war, which is the prolific mother of these individual sins. And another reason why moralists should war against war is to save its wasted combativeness for moral warfare. If we could enlist as much manhood and money as we have put into war in a war against political corruption at home we could put "grafters" to rout all over the land.

THE PRESIDENT: The Conference will now hear from Miss Smiley. [Applause.]

TWO VISIONS.

REMARKS OF MISS SARAH F. SMILEY.

Early this morning two visions passed before me; one of them I saw with the inner eye and the other with the outer. This was what the outward eye saw in the very early morning,—the marching of the mist down the mountain side. It was a very wonderful sight. When I first looked out of the window the grass plot only was clear before me; not even the trees were visible; and then suddenly the mist retreated and the trees stood out and the mist like a great wall stood behind them. Then there came suddenly flashing upon it the arrows of light, and it retreated and rushed down the hill, and there it made a stand again. Then it came forward a little, and finally it retreated step by step as I watched it, until it had gone down into

the valley, until at last marching far over the valley step by step it left it all clear in the early sunlight, and every little hamlet stood out plainly visible.

And what I saw all the time that I was looking at it, with the inner eye, was this, — the heavy mist that stood for this cause that is so dear to us, a very fog, we might call it, some years ago when we first met here; and how it was given to some brave souls to see it clear a little, until it went down the mountain side, — as all great movements must come from above and go down below, — until it reached all those who dwelt in those humble hamlets, all the artisan class, and all the people around were feeling that peace was a cause dear to their hearts.

HON. ROBERT TREAT PAINE then moved a vote of thanks to Mr. and Mrs. Smiley, and spoke as follows:

Mr. Smiley, Mr. President, Ladies and Gentlemen: Now that the business of the Conference has been brought so happily to a close, the beautiful privilege has been assigned to me of offering for your consideration these Resolutions, which I know you will love to hear and to approve:

Resolved, That the members of the Tenth Annual Lake Mohonk Conference on International Arbitration wish to have entered on our records our sincere appreciation of the gracious hospitality of our hosts, Mr. and Mrs. Albert K. Smiley. We rejoice with them in the splendid progress which has attended Mr. Smiley's wise and devoted zeal in behalf of this great cause, which we believe to be the foremost before the world. We congratulate Mr. Smiley on his share in the steady advance this cause is making not only among the governments of the world, but also over the minds and the consciences of men. This year we especially rejoice with him on the adhesion of strong business men, representing and pledging the support of powerful and numerous business organizations, from many sections of our country, thus making the prosperity of our people concur with the behests of conscience and of reason in demanding that war be replaced by peaceful arbitration.

Resolved, That we express our hearty thanks to Mr. and Mrs. Daniel Smiley for their constant courteous care for the enjoyment of us all.

May I add a word or two to develop the thoughts which have pressed on my heart as I have endeavored to put into words my feelings. We thank you, Mr. Smiley, for this opportunity, that we have all so deeply enjoyed, of meeting here in large and growing numbers the strong men and women of the country. This year we have delighted to welcome especially the business men, in addition to those whom we have had the pleasure of meeting here before, and we feel that this gathering of persons so deeply interested in a common cause increases many-fold our strength and usefulness; it increases the power of the pulpit, the power of the press, and that of all of us men and women who are interested in the cause of arbitration.

Organization is one of the great forces that, if we have not discovered, we are trying to use to the utmost. The power of organization has been known from the beginning of time. And the use of

privilege is a thought on which one word may be said — the use of privilege. When we meet here in these beautiful surroundings we see a privilege nobly used.

Three years ago at the commencement of Harvard University President Eliot expressed this thought to the graduating class: The object of education is no longer the salvation of the individual, either in this world or the next, but the advancement of mankind. Now he developed there an idea of altruism, consecration, that will save the world if the young men and women will accept it and live up to it. Here at Mohonk we see that beautiful thought applied in a way to give us all, old and young, the highest inspiration.

Allow me, Mr. Smiley, to indulge in one last thought. I love to think that the happiness that we produce here will be an eternal possession, and that in the great hereafter, when the day shall come—far distant be that day—when you look down from the joys of heaven upon this earth, what greater happiness can we imagine than for you to see, in place of all the horrors and the butcheries and the wretchedness of war, the peaceful arbitration which you have done so much to introduce replacing all those horrors, with the joy and the happiness of millions of homes.

I move the adoption of the Resolutions.

DR. HALE: I am permitted to speak for the hundreds of people around me who would like to second this motion.

I should like to say a single word as to the history of the work here, because it is a striking illustration of what one determined man, especially if he is assisted by a family, can do in a cause like this. I think I am right in saying that it was as long ago, General, as Grant's Administration when he determined to break the influence, as he did, of the infamous Indian ring in Washington. Our friend Mr. Smiley was put into what General Grant called an Indian Commission, an unpaid board of persons who met in Washington to look after the Indians. They attained their object, and what people called "the dishonor of America" with regard to the Indians ceased with the administration of General Grant.

Mr. Smiley called the first Indian Conference together here, when this hotel was not the palace which it is to-day, and I suppose the success of that Indian Conference induced him to call together this Congress of men who believe in one thing, who believe that international arbitration may take the place of international wars. They believe in it, they think about it, they study about it; the writers on international law join them; the business men and the thoughtful men join them, and you get once a year a meeting of experts here. I believe that you already see the effect of this Congress of experts; you do when you get a dispatch like that from the Chief Magistrate of the country. You find that people know what they are talking about because once a year a Congress of experts has discussed the matter.

I consider it a very great thing to have been the inventor, shall I say, of this Congress of experts, and I think I but voice the feelings of this whole body of people in thanking our friend for bringing us here.

I second the Resolutions.

THE PRESIDENT: You have heard these Resolutions which seem so fittingly to express what I believe is the feeling of this assembly. In order that there may be no doubt about its being so, I will ask that all those who are in favor of these Resolutions will rise.

The Conference rose in a body and the Resolutions were declared unanimously adopted.

MR. SMILEY: I wish to thank you most heartily for the words that have been said and for the resolutions passed.

Nothing in my life gives me greater pleasure than to see a body of men and women meeting together with an honest spirit and with an urgent love of truth and justice, to discuss and promote year by year a subject in which I feel the deepest interest.

I have always been a lover of peace, yet with it all I always feel a little of the spirit of pushing things. I am not entirely a man of peace in that respect, and when I think I am right I maintain it. That has been our course here; we stick to it, and we intend to hold these Conferences all my life, and my brother will see to it that when I am gone they shall continue until the world's peace is secured. [Applause.]

Now, while you thank me, I wish to thank you for coming here and suffering this martyrdom which was spoken of. Some of you come long distances, and I know sometimes leave important business behind, because of your interest in this great cause. I know that many here have made great sacrifices in coming.

One word in regard to that present that has come to me in the shape of a clock. I want to assure you that I appreciate it, but a thousand times more I appreciate it as the present of my friends interested in a common cause, and it will have a proper place in this room.

I want to say a word, too, about this Conference. We have made a great advance this year over any other Conference, and everything that has been said has given me great satisfaction. This is the best Conference we have ever had. It is true that I have said this of other Conferences, but it is also true of this one.

Before closing I want to mention our officers, and I know I voice the sentiments of the Conference when I say that we have been wonderfully favored in its organization.

THE PRESIDENT: It is not necessary for me to say anything, except that I have enjoyed the privilege and the honor that you have accorded to me and conferred upon me, and I thank you for it.

The Conference sang, as usual at the close of the last session, the hymn, "God Be with You till We Meet Again." Dr. Hale pronounced the benediction, and the Conference adjourned *sine die*.

After the close of the Conference Mr. Franklin P. Shumway of Boston, who acted as treasurer of the funds contributed for this clock, procured a very fine English clock in a mahogany case and delivered it to Mr. Smiley on the 4th of August. The following inscription was engraved on a silver plate attached to the front of the clock:

"Presented to Mr. and Mrs. Albert K. Smiley by the Tenth Lake Mohonk Conference on International Arbitration June 1-3, 1904, in grateful recognition of their devoted services to the cause of universal brotherhood and peace."

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